

1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF NEW YORK

3 -----
4 **DOUGLAS J. HORN and CINDY HARP-HORN,**

5 Plaintiffs,

6 -vs- Civil Action No.: 15-cv-701-FPG

7 **MEDICAL MARIJUANA, INC., DIXIE ELIXIRS AND**
8 **EDIBLES, RED DICE HOLDINGS, LLC, and DIXIE**
9 **BOTANICALS,**

Defendants.
10 -----

11 Examination Before Trial of **CINDY**
12 **SUE HARP-HORN,** held before Marissa A.
13 Ashcroft, Notary Public, at MURA & STORM,
14 PLLC, 930 Rand Building, 14 Lafayette Square,
15 Buffalo, New York, on May 9th, 2017 at 10:56
16 a.m., pursuant to notice.
17
18
19
20
21
22
23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

A P P E A R A N C E S

APPEARING FOR THE PLAINTIFF:

HOUSH LAW OFFICES, PLLC
BY: FRANK HOUSH, ESQ.
70 Niagara Street
Buffalo, New York 14202
(716) 362-1128

APPEARING FOR THE DEFENDANT, MEDICAL
MARIJUANA, INC. and RED DICE HOLDINGS, LLC:

MURA & STORM, PLLC
BY: ERIC T. BORON, ESQ.,
930 Rand Building,
14 Lafayette Square
Buffalo, New York 14203
(716) 855-2800

APPEARING FOR THE DEFENDANT, DIXIE ELIXIRS AND
EDIBLES and DIXIE BOTANICALS:

MESSNER REEVES LLP
BY: JEAN-CLAUDE MAZZOLA, ESQ.
and WENDY J. LINDSTROM, ESQ.,
805 Third Avenue,
18th Floor
New York, New York 10022
(646) 663-1860

ALSO PRESENT: Douglas J. Horn

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

	<u>W I T N E S S E S</u>	
WITNESS	EXAMINATION	PAGE
Cindy Sue Harp-Horn	By Mr. Boron	4, 147
	By Mr Mazzola	132

	<u>E X H I B I T S</u>	
EXHIBIT	DESCRIPTION	PAGE
Exhibit 31	Guthrie Occ Med Report For Cindy Horn	26
Exhibit 32	YouTube Video titled Power of RAW Cannabis	44
Exhibit 33	Personnel Action Request	98
Exhibit 34	Screenshot of EP Termination Record for Cindy Horn	98
Exhibit 35	Enterprise 401(k) Plan Retirement Savings Statement	113
Exhibit 36	E-mail exchange dated 3/5/2014	125

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

C I N D Y S U E H A R P - H O R N

195 Parker Road, Lockwood, New York 14859,
having been first duly sworn, was examined and
testified as follows:

EXAMINATION BY MR. BORON:

Q. My name is Eric Boron, I'm an attorney with
Mura & Storm. Is it correct that you've been
in the deposition room with your husband
giving testimony over the last two days?

A. Yes.

Q. You've heard everything he's testified to?

A. Yes.

Q. Okay. I am going to go over the instructions
again for you.

A. Okay.

Q. So that we have it on the record. Before I go
over those instructions let me ask you: Have
you ever been deposed before?

A. No.

Q. Have you ever given testimony under oath
before?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I don't believe so.

2 Q. Have you ever appeared in a courtroom and
3 testified as a witness?

4 A. No.

5 Q. All right. The first instruction is if you do
6 not understand a question that I ask you, will
7 you let me know?

8 A. Yes.

9 Q. Okay. The second instruction is please allow
10 me to get to the end of a question before you
11 begin to answer; do you understand that?

12 A. Yes.

13 Q. All right. I'm going to ask you some
14 questions about the financial records because
15 your husband deferred to you and said that you
16 may have more knowledge than he did with
17 respect to certain things related to finances.

18 I'm going to ask you some questions about
19 yourself and your background and I'm sorry if
20 some of the questions repeat what was asked of
21 your husband, but you are, of course, another
22 plaintiff in the lawsuit.

23 Let me start with some basic background

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 questions of you, all right?

2 A. Okay.

3 Q. How long have you been married to Mr. Horn?

4 A. Since 1990.

5 Q. Is this your first marriage?

6 A. No.

7 Q. How many times have you been married?

8 A. Two.

9 Q. Is your first husband still alive?

10 A. Yes.

11 Q. What's his name?

12 A. Rudy R. Nava, N-A-V-A.

13 Q. Where does Rudy live today?

14 A. Visalia, California. Visalia, California.

15 Q. What's the zip code there?

16 A. 932 -- I'm going to say 91. There's like
17 three.

18 Q. What's his street address?

19 A. I have no idea where he lives.

20 Q. Do you have his phone number?

21 A. No.

22 Q. Has he remarried?

23 A. Yes.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. What's his spouse's name now?

2 A. I believe Dianne.

3 Q. How long were you married to Mr. Nava?

4 A. Five years.

5 Q. When were you divorced?

6 A. 1989 -- oh, you know what, it became legal
7 June 1990.

8 Q. While you were married to Mr. Nava were you a
9 resident of California?

10 A. Yes.

11 Q. Were you driving a truck for a living --

12 A. No.

13 Q. -- at that time? No. When did you start
14 driving a truck for a living?

15 A. In June 1998 -- 1999. Excuse me, 1999.

16 Q. Was that after you went through training that
17 your husband provided to you when he was an
18 employee at Marten?

19 A. Correct.

20 Q. Have you or Mr. Horn ever owned your own truck
21 and been an owner operator?

22 A. We owned a pick-up and hauled RVs only, no
23 semis.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Okay. That's the Dodge Ram pick-up --

2 A. Correct.

3 Q. -- you heard your husband testify about?

4 A. Correct.

5 Q. Was your husband accurate yesterday when he
6 was testifying that the Dodge Ram pick-up was
7 used for the Horn's Transport LLC business?

8 A. Correct.

9 Q. Okay. Was he also accurate when he described
10 that the business was only actively operated
11 for approximately a three-month period?

12 A. Correct, from May until August.

13 Q. May to August 2013?

14 A. Correct.

15 Q. Was there any business done by Horn's
16 Transport LLC in calendar year 2014?

17 A. No.

18 Q. Are you aware that a depreciation deduction
19 was taken on the 1990 -- I'm sorry, the 2014
20 income taxes related to the truck?

21 A. The LLC was still active, which it's still
22 today and I just -- that's why I hire my CPA.
23 I really do not understand the tax.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. So the LLC has never been dissolved or
2 otherwise closed out?

3 A. No.

4 Q. Legally?

5 A. No.

6 Q. How many children do you have, ma'am?

7 A. I have one biological and four stepdaughters.

8 Q. Erica is your biological daughter?

9 A. Correct.

10 Q. Since the time that you began to drive truck
11 for a living in 1999, have you at all times
12 worked with your husband as a team?

13 A. Correct.

14 Q. All right. Did you ever have any other
15 employment from that point in time when you
16 started to drive a truck in 1999? In other
17 words, another field of employment besides
18 trucking?

19 A. No.

20 Q. No. Did you ever operate another business
21 besides Horn's Transport LLC?

22 A. No.

23 Q. Were you in the truck that your husband was

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 driving on February 24, 2012 when the wreck
2 happened?

3 A. Yes.

4 Q. Where were you in the truck?

5 A. The bunk.

6 Q. Were you asleep or awake at the time that the
7 wreck happened?

8 A. Asleep. He woke me up.

9 Q. What injuries did you suffer in that wreck?

10 A. My neck and my right arm. I was thrown.

11 Q. You were thrown out of the bunk into what area
12 of the truck?

13 A. When the truck fell on the passenger side
14 everything came falling on me. I was thrown
15 up against which would now be the side which
16 was the ground, so the mattress which was
17 eight inches thick, fell on me and everything
18 else.

19 Q. Was anything besides your neck and right arm
20 injured?

21 A. Just across from my shoulder to shoulder, so
22 my neck, my right arm, and the top part of my
23 shoulders.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Have those injuries since resolved?

2 A. No.

3 Q. Were you treated by a doctor or some other
4 medical person?

5 A. Yes.

6 Q. Right after the accident did you go to an
7 emergency department?

8 A. Yes.

9 Q. Did you get admitted to a hospital?

10 A. No.

11 Q. When you left the emergency department, where
12 did you go next?

13 A. To a motel.

14 Q. Okay. And then did you come home or was
15 another truck right out for you folks?

16 A. Flew home.

17 Q. You flew home. Do you have a primary care
18 physician?

19 A. Yes.

20 Q. Who's that?

21 A. Dr. Choi.

22 Q. Okay. And how long has Dr. Choi been your
23 primary care physician?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. At least 10 years.

2 Q. Did Dr. Choi treat you for your neck, right
3 arm, or top -- top of your shoulder injuries?

4 A. No.

5 Q. Did you see Dr. Choi at all in 2012 after the
6 wreck?

7 A. No.

8 Q. Who treated you for those injuries?

9 A. Dr. White.

10 Q. Was Dr. White the Workers' Comp doctor?

11 A. Correct.

12 Q. Is Dr. White part of the same Guthrie practice
13 as Dr. Choi is?

14 A. Correct.

15 Q. Is Dr. White still treating you today?

16 A. No.

17 Q. When did Dr. Right -- Dr. White stop treating
18 you?

19 A. May 4th.

20 Q. 2012?

21 A. Correct.

22

23 (Discussion held off the record)

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

BY MR. BORON:

Q. What did the treatment that Dr. White provided to you after the wreck consist of?

A. Physical therapy.

Q. Did Dr. White send you somewhere for physical therapy or Dr. White gave you the physical therapy?

A. We went to Guthrie's physical therapy.

Q. Okay.

A. Three times a week.

Q. Were you and your husband going to physical therapy together at that point in time?

A. Yes.

Q. Is that in March of 2012?

A. Yes.

Q. How long did the physical therapy last for you?

A. Until, I believe, May the 1st, right before we went to work.

Q. So all of March and all of April 2012 you would have been going three times a week for physical therapy at Guthrie?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. And your husband was also going to physical
3 therapy on all those occasions with you?

4 A. Cricket.

5 Q. And you both were going through physical
6 therapy?

7 A. Correct.

8 Q. All right. He wasn't just going and sitting
9 in the waiting room?

10 A. No.

11 Q. Okay.

12 A. We coincided our appointments together.

13 Q. Now in March and April of 2012 you weren't
14 driving at all, correct?

15 A. Correct.

16 Q. I guess I should clarify. You weren't driving
17 truck for a living, correct?

18 A. Correct.

19 Q. Were you able to drive another vehicle like a
20 standard car or whatever --

21 A. Correct.

22 Q. -- your get around vehicle was at home?

23 A. Correct.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. What do you drive at home by the way?

2 A. Today?

3 Q. Yeah, today.

4 A. Today.

5 Q. But is it a car or whatever?

6 A. Today we're in a pick-up truck. We rented a
7 pick-up truck. Last time it was a van. It's
8 whatever.

9 Q. So is your -- is your standard operating
10 procedure that for the times that you're at
11 home you rent a vehicle?

12 A. Yes, and the reason for that is because the
13 company insists that we stay out a minimum of
14 three weeks. You're not allowed to go home
15 and for those three weeks you get three days
16 off which truly isn't enough time so we stay
17 out longer so I do not want a vehicle sitting
18 in the driveway collecting rust.

19 Q. Now you were just discussing the ICX
20 requirement?

21 A. Correct.

22 Q. Being off for three days after driving for
23 three weeks?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. Okay.

3 A. It's not mandatory. It's mandatory that you
4 have to stay for a period of three weeks and
5 then you earn three days off.

6 Q. Okay. How does that relate to the Enterprise
7 situation that you had when you were working
8 there?

9 A. We could go out and work if I wanted to work a
10 week and come home for a couple of days. We
11 were allowed to drive the semi-truck home and
12 park it. ICX will not allow you to drive the
13 semi-truck. We drive 240 miles one way to get
14 home.

15 With Enterprise we had five weeks paid
16 vacation, which we would take in one block,
17 pretty much any time you wanted. They were
18 very lenient. We usually stayed out two and a
19 half to three weeks and take 10 days home with
20 Enterprise.

21 Q. Do you have any paid time off with ICX?

22 A. No -- we do -- we do. We just earned two
23 weeks vacation now, but they do not like us to

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 take vacation during Christmastime. Last year
2 there was a little bit of an argument over it.
3 We had one week last year.

4 Q. If you work at ICX for another year will there
5 be an increase in the number of weeks vacation
6 you get?

7 A. No, they top out at two weeks until -- I
8 believe we have to be there I think seven
9 years before you get the third week.

10 Q. Okay. And this is paid vacation we're talking
11 about?

12 A. It is paid.

13 Q. Going back to the 2012 time period when you
14 had finished physical therapy and now you've
15 been given, what, a clean bill of health in a
16 sense from Workers' Comp? They say you can go
17 back to work?

18 A. Correct.

19 Q. Okay. So you do go back to work at Enterprise
20 at that point in time, correct?

21 A. Correct.

22 Q. Sometime in May of 2012?

23 A. I believe it was May 15th.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did Enterprise still give you five weeks paid
2 vacation in 2012?

3 A. Yes, they did.

4 Q. Okay. So had you taken any of the five weeks
5 vacation for 2012 before the wreck?

6 A. I believe we took a week in January, which
7 coincided with what we took in December.

8 Q. That let you be off for the whole holiday --

9 A. Correct.

10 Q. -- period?

11 A. Correct.

12 Q. All right. Now after you went back to work in
13 May of 2012, did you take any more paid
14 vacation from Enterprise before 2012 ended?

15 A. No.

16 Q. No. Did you get paid for any further vacation
17 time at Enterprise despite the fact that
18 Mr. Horn was terminated?

19 A. He received a check in the mail for his
20 remaining vacation time, yes.

21 Q. Okay. And how much remaining vacation time
22 did he get a check for?

23 A. I think -- I'm not sure if it was three weeks

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 or four weeks. I do not remember, but I
2 know -- I believe it was at least three weeks.

3 Q. Now all these amounts of vacation time that
4 you're testifying about, this is for you as a
5 team, correct? In other words, it's not five
6 weeks that you get and five weeks that
7 Mr. Horn gets; is that correct?

8 A. I have five weeks because I'm an employee and
9 he has five weeks because he's an employee, so
10 we always take our time off together.

11 Q. Right, okay.

12 A. So we each get paid for the allotted time that
13 we take off for vacation.

14 Q. And what's the pay rate that you had at
15 Enterprise for vacation pay?

16 A. The way Enterprise worked was done by quarter,
17 so however -- they would average out what your
18 average pay was for that quarter of time
19 running. So they would add up all your pay
20 checks and divide it by how many weeks are in
21 a quarter.

22 Q. I guess it could vary, but 12?

23 A. We'll say 12 -- I think 12. We'll say 12 and

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 then that's what you would get paid per week
2 that you would take off. So if you had a
3 fantastic running, so say you did 7,000 miles
4 a week for every week which wasn't
5 unreasonable for 12 weeks, then that's what
6 you would get paid. ICX is different.

7 Q. How does ICX pay for paid vacation?

8 A. They pay 40 hours a week hourly and I'm not
9 exactly sure what the hour rate is.

10 Q. You said you got one week of paid vacation
11 from ICX in 2016?

12 A. Correct. They pay that on your hire date.

13 Q. So do you have the pay stub from ICX from that
14 week that would then tell us what the hourly
15 rate was?

16 A. They -- I really don't like the way ICX does
17 things. It's very confusing because we -- you
18 get it on your pay -- I mean, on your hire
19 date and they lump it in with your paycheck,
20 so it -- and they're -- what do you call them.
21 Your check stubs that you get, they're very
22 confusing so that's why I don't quite
23 understand how the system works and I've

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 asked. A lot of people don't understand.

2 Q. Does ICX refer to that as a bonus?

3 A. No, it's vacation.

4 Q. Vacation, okay. Have you ever received any
5 bonus from ICX?

6 A. No, no bonus.

7 Q. Was there a signing bonus at any place that
8 you ever worked?

9 A. Just Enterprise.

10 Q. Just Enterprise. How much was that signing
11 bonus?

12 A. Honestly, I don't remember.

13 Q. Do you and Mr. Horn get life insurance from
14 ICX?

15 A. Yes, we do.

16 Q. How much do you each get in life insurance?

17 A. I'm not sure.

18 Q. Is there any great difference in the life
19 insurance that you're provided by ICX as
20 compared to the life insurance you were being
21 provided by Enterprise?

22 A. Yes, there is.

23 Q. How much were you getting in life insurance

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 from Enterprise?

2 A. The company paid \$150,000 per driver and if
3 you wanted to you could add on, which was
4 every year we added on to where it equalled
5 out to \$600,000 per person.

6 Q. Is that life insurance that you're talking
7 about at Enterprise life insurance that would
8 pay if you were injured -- I'm sorry, if you
9 were killed while driving the truck?

10 A. Or injured where if you had like a limb that
11 had been taken off or that type, yes, and if
12 you were killed there. There were several
13 drivers that while we worked there that
14 actually died on the job and one of the
15 drivers was in California, he fell off the
16 tank, Enterprise paid his family \$150,000 plus
17 they paid off all the credit card and all the
18 house.

19 Q. What you're describing sounds like accidental
20 death and dismemberment insurance?

21 A. Yes.

22 Q. Okay. Was there separate life insurance
23 provided by Enterprise? You know, which would

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 cover you passing away at home, just went to
2 bed one night and didn't wake up the next day,
3 that kind of life insurance?

4 A. I believe that is with that coverage as well.
5 They also provided short-term and long-term
6 disability, the company paid for that as well.
7 We didn't have to pay. Today at ICX we have
8 to pay for our own if we want short-term and
9 long-term.

10 Q. Do you have accidental death and dismemberment
11 life insurance?

12 A. I do not understand what they -- I did not see
13 the paperwork that we signed for it, I just
14 know it came standard so I don't have that
15 paperwork.

16 Q. Okay. If you wanted to would you be able to
17 start a retirement savings account with ICX?

18 A. They sent me the forms just here recently.

19 Q. You haven't done that yet though?

20 A. No.

21 Q. But it's available to you if you want to?

22 A. I do not know.

23 Q. Oh, you don't know?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. You haven't read the forms yet?

3 A. No.

4 Q. Okay. Why did they send you the forms? Was
5 it --

6 A. Standard.

7 Q. -- because you asked for them?

8 A. No.

9 Q. No.

10 A. It's standard. We've been there now long
11 enough. You had to be there for over a year.

12 Q. The forms you're talking about getting in the
13 mail, was it for --

14 A. For the 401(k).

15 Q. Okay. But was it the company informing you of
16 all the various benefits --

17 A. Just the 401(k).

18 Q. -- that you could opt to take?

19 A. Just the 401(k).

20 Q. Okay. Do you receive profit sharing from ICX?

21 A. No.

22 Q. Were you receiving profit sharing from
23 Enterprise?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Yes.

2 Q. Will you have the potential in the future to
3 receive profit sharing from ICX?

4 A. No.

5 Q. Did you receive profit sharing at Enterprise
6 the entire 10 and a half years that you worked
7 there?

8 A. Yes.

9 Q. How did they pay the profit sharing?

10 A. It went into a separate fund through fidelity
11 that was linked to your 401(k).

12 Q. Okay. And was the profit sharing amount that
13 was paid by Enterprise based on Enterprise's
14 net financial results for a calendar year?

15 A. I'm not sure.

16 Q. Okay. Was -- were you depositing money when
17 you worked at Enterprise into a 401(k)?

18 A. Some years we were.

19 Q. Okay. And was that like an automatic deposit
20 that was made into the 401(k) with every one
21 of your pay periods?

22 A. Correct.

23 Q. Okay. Was there any matching deposit that

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 went into the 401(k) from Enterprise?

2 A. Correct.

3 Q. There was?

4 A. Correct.

5 Q. What percentage did they match?

6 A. I believe it was seven.

7 Q. Okay. Have you retained any of the records
8 related to the Enterprise profit sharing or
9 life insurance or matching that Enterprise was
10 providing to the 401(k) deposits you were
11 making?

12 A. No, I did paperless.

13 Q. Okay. Do you have any statements from
14 Enterprise that would reflect any of this that
15 we talked about?

16 A. No.

17

18 The following was marked for identification:

19 Exhibit 31 Guthrie Occ Med Report for
20 Cindy S. Horn-Harp, two pages

21 **BY MR. BORON:**

22 Q. I'm showing you what's marked for the
23 deposition as Exhibit Number 31. For the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 record, Exhibit 31 is two pages long and it
2 appears to be a report from Dr. White about
3 you after the wreck. Have you ever seen this
4 report before?

5 A. No.

6 Q. Was Dr. White's first name Karol with a K?

7 A. Yes.

8 Q. Do you see on the report where there's a label
9 that says Past Medical History?

10 A. Yeah.

11 Q. And then there are two things listed there
12 under the past medical history, number one
13 says chronic kidney infection and the other
14 says Hepatitis C?

15 A. Right.

16 Q. Are those two facts about your medical history
17 that you told Dr. White about?

18 A. Correct.

19 Q. Okay. Did you give Dr. White any past medical
20 records related to your chronic kidney
21 infection or your Hepatitis C?

22 A. No.

23 Q. You just orally told her that those were

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 issues you had in the past?

2 A. Correct.

3 Q. Do you have a chronic kidney infection today?

4 A. No.

5 Q. No. When was the last time you were dealing
6 with chronic kidney infection?

7 A. I'm not sure of the date or the year.

8 Q. Do you recall when you first were diagnosed as
9 having a chronic kidney infection?

10 A. It was in, I believe January of 1990.

11 Q. Were you living in California at the time?

12 A. Yes.

13 Q. Did treatment of your chronic kidney infection
14 last longer than a year?

15 A. Yes.

16 Q. Did it last longer than 10 years?

17 A. No.

18 Q. So it was resolved at some point in the 1990s?

19 A. I can have flare-ups if I take certain
20 over-the-counter medicine. For example, I
21 remember -- I don't know what year it was -- I
22 took the Advil cold and flu medicine because I
23 had a very bad cold and because of that I went

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 into wanting to vomit -- it all pertained to
2 my kidney and I had a kidney fixation for two
3 weeks afterwards.

4 Q. What year did that occur?

5 A. All I can do is guess.

6 Q. Would you be able to recall that it occurred
7 before the year 2000?

8 A. No, it was around 2005, 2006. I was living in
9 Endicott and I was on the road, I had to
10 actually get a load straight to our terminal
11 in Jersey and my terminal manager actually
12 made an appointment with his doctor so I could
13 get in immediately and they could run the test
14 because I was burning up with a fever, I was
15 vomiting, I had sharp pain, all indicated the
16 symptoms that I get when I have a kidney
17 infection and that is exactly what it was and
18 then they sent me home.

19 Q. Okay. And how do you know that that was a
20 reaction to taking Advil?

21 A. Dr. Choi.

22 Q. Dr. Choi told you that?

23 A. Correct.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Okay.

2 A. So I'm allergic to any ibuprofens. I can't
3 remember the name, it starts with an N. I'm
4 not very big on medicine. I know I can't take
5 Advil, I can't take aspirin. I have to be
6 careful. I can't take Tylenol anymore, those
7 types of things. I can't eat beef, I can't
8 eat pork. I have a double collecting valve on
9 my kidney.

10 Q. Do you still have both your kidneys?

11 A. I do.

12 Q. Do you have any similar problems with your
13 liver?

14 A. No.

15 Q. Since that episode that you just described
16 of -- about taking the Advil in 2005 or 2006
17 while you lived in Endicott, have you had
18 another flare-up of your kidney infection?

19 A. No.

20 Q. Okay. Do you get blood tests taken to check
21 the status of your kidney?

22 A. No.

23 Q. Do you get an annual physical done?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I do.

2 Q. Is that with Dr. Choi?

3 A. Correct.

4 Q. Would you have had an annual physical with
5 Dr. Choi in 2012?

6 A. I don't remember. I get a physical done every
7 two years. It's two years, not annual.

8 Q. And the last time you had a physical was which
9 year?

10 A. It was -- I'm trying to think -- two years
11 ago. I have to get one done this year.

12 Q. So your last was in 2015?

13 A. Correct.

14 Q. If we use your bi-annual formula going
15 backward you would have had one done in 2013
16 and one in 2011, correct?

17 A. Yes.

18 Q. Did you ever treat -- have treatment or office
19 visits with Dr. White other than that
20 three-month period of time after the wreck?

21 A. No.

22 Q. And with respect to the Hepatitis C reference
23 in your past medical history, when were you

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 diagnosed with Hepatitis C?

2 A. It's been at least 10 years.

3 Q. Who diagnosed you with Hepatitis C?

4 A. Bruce Askey.

5 Q. Is he a doctor in Vestal, New York?

6 A. Guthrie.

7 Q. With Guthrie?

8 A. Yes.

9 Q. Were you diagnosed through a blood test?

10 A. Correct.

11 Q. Why were you getting your blood tested?

12 A. Because James had his tested when he first --
13 when his dad called.

14 Q. You heard James' testimony yesterday about the
15 call from his dad that prompted him to get his
16 blood tested and I believe James said that
17 when he first got his blood tested after that
18 call from his dad came back negative for
19 Hepatitis C, correct?

20 A. Correct.

21 Q. Was Dr. Choi or his practice the place that
22 you had the blood test done?

23 A. I believe his was.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Okay.

2 A. I can't remember -- I can't -- I know that I
3 see Dr. Askey. I believe I got mine done with
4 Dr. Choi as well.

5 Q. Mm-hmm. Have you ever had any tattoos?

6 A. No, we believe mine was due to the birth of my
7 child in 1986 I had over five pints of blood
8 and actually died giving birth to her twice.
9 It was an emergency C-section so we believe
10 that's how I contracted Hep C.

11 Q. That was in 1986?

12 A. Correct.

13 Q. Did anybody ever tell you where the blood came
14 from that you were provided in that operation?

15 A. No. It was an emergency C-section.

16 Q. I take it that occurred in California?

17 A. Correct, Visalia.

18 Q. Is that the one and only time you got
19 transfusions in your life?

20 A. Correct.

21 Q. If you would turn to the second page of
22 Exhibit 31, ma'am. In the plan -- see the
23 plan right up -- it starts there with the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 heading Plan?

2 A. Right.

3 Q. Number 3 says she may continue Tylenol on an
4 as-needed basis?

5 A. Correct.

6 Q. Did you tell Dr. White that you were allergic
7 to Tylenol?

8 A. I just found out recently last year. I took
9 Tylenol for a migraine last year while I was
10 on the road, I started vomiting, my head
11 started spinning, I was in Texas, could barely
12 make it to bathroom and I thought it was food
13 poisoning and a couple weeks later I took
14 Tylenol again, same thing and I -- so I'm
15 definitely allergic to Tylenol now.

16 Q. Did Dr. White prescribe you Tylenol?

17 A. No, just over-the-counter Tylenol.

18 Q. Was Dr. White under the impression you were
19 taking Tylenol back in 2012?

20 A. I told her that I would take Tylenol every now
21 and then for migraines.

22 Q. So back at that point in time you didn't know
23 you had such a reaction?

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. It didn't bother me.

2 Q. Okay. And then the last paragraph of the plan
3 section says, she states that returning to
4 work will keep her on the road until
5 September?

6 A. We figured we would probably have to stay out
7 that long to get caught up on finances.

8 Q. Okay. Because you had had a dip in income
9 while you were out of work?

10 A. Right.

11 Q. Even though you received some --

12 A. Right.

13 Q. -- Workers' Comp pay, correct?

14 A. Correct.

15 Q. So that would be the rest of May, June, July
16 and August you would be on the road?

17 A. Correct.

18 Q. And did that in fact happen, you were on the
19 road that whole time?

20 A. You know, I do not remember to be honest. I
21 don't remember when we came back home.

22 Q. Back in 2012 you were filling out log sheets
23 by hand for Enterprise?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. And the log sheets would reflect what you did
3 every day driving truck for Enterprise?

4 A. Driving, correct.

5 Q. Right, okay. You never retained any logs that
6 you filled out for Enterprise, correct?

7 A. No, I did not keep them.

8 Q. Okay. Did your husband keep copies of any of
9 the logs?

10 A. No.

11 Q. No. They were submitted to Enterprise after
12 you had finished a trip, correct?

13 A. Correct.

14 Q. All right. Did Enterprise ever tell you what
15 they did with the log sheets after you turned
16 them in?

17 A. I know they were scanned and sent to
18 corporate.

19 Q. How do you know they were scanned? Did you
20 see someone scanning them once?

21 A. I was told.

22 Q. Would that have been something that you --
23 that you were told was happening in 2012 that

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 log sheets were being scanned in?

2 A. Correct.

3 Q. Okay. Do you have a calendar at home from
4 2012 that would have a record of when you were
5 on the road and when you were home?

6 A. I'd have to look.

7 Q. Do you have a habit of, you know, marking
8 things like on a calendar on a refrigerator
9 like you see at people's homes?

10 A. No.

11 Q. About when they'd be away?

12 A. No.

13 Q. Okay. What other record would you have about
14 when you would be on the road and when you
15 would be home besides a calendar?

16 A. I have a calendar book. I'd have to look.
17 We've done some packing so I'd have to look.

18 Q. In 2012 were you getting paper statements from
19 your bank every month that would give you a
20 summary of what had happened with the account,
21 you know, deposits and withdraws and so forth?

22 A. I'm not sure.

23 Q. Today as you sit here do you get a statement

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 from your bank?

2 A. I do not.

3 Q. Back in 2012 you might have?

4 A. Correct.

5 Q. And which bank again?

6 A. Visions Federal Credit Union.

7 Q. Visions Federal Credit Union?

8 A. Correct.

9 Q. Does Visions have an office in New York State?

10 A. Correct.

11 Q. Yeah. Where is it?

12 A. They're based in Broome County and Tioga
13 County.

14 Q. Mm-hmm.

15 A. Vestal, their main branch is Endwell.

16 Q. Okay. Is it on East Main Street in Endwell,
17 the old Route 17C?

18 A. It's over by there, yeah. Do you know where
19 the IBM is?

20 Q. Yeah.

21 A. It's over by IBM, that's their main branch.

22 Q. Okay. Is that the one that you go to when you
23 go into the branch?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. No, okay. But that's like their main
3 operations office best of your knowledge?

4 A. Yeah, I used to go in there when we lived in
5 Endicott, but --

6 Q. You don't live close to there to just drop in
7 there?

8 A. No. There's one in Sayre, there's one in
9 Spencer. They're small, but they're a credit
10 union.

11 Q. Do you get monthly credit card statements?

12 A. Everything is paperless.

13 Q. Do you have any credit cards yourself?

14 A. Yes.

15 Q. In 2012 did you have credit cards?

16 A. I believe -- I believe I had maybe one of my
17 own.

18 Q. Mm-hmm. What was that?

19 A. Discover.

20 Q. Do you still have the Discover account today?

21 A. Correct.

22 Q. Do you have statements from Discover Card from
23 2012 at your home?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I do not.

2 Q. Have you asked Discover Card to send you
3 copies of the monthly statements for 2012?

4 A. I have.

5 Q. When did you put that request in to Discover
6 Card?

7 A. A month ago.

8 Q. Have you got the statements yet from Discover
9 Card?

10 A. No.

11 Q. Did you request just 2012 or other years?

12 A. The whole years.

13 Q. All the years that were asked for --

14 A. All the years up to today.

15 Q. Did you use your Discover Card to purchase any
16 products from Dixie in 2012?

17 A. I don't believe so. I believe that was on
18 Bank of America.

19 Q. Did you have a checking or savings account
20 with Bank of America in 2012?

21 A. No.

22 Q. Did you have a credit card from Bank of
23 America in 2012?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. It's my husband's, but I have an account --
2 it's -- we have a joint, I guess. Or I'm on
3 the account.

4 Q. Okay.

5 A. But it's not my account.

6 Q. Is that a Visa or MasterCard?

7 A. Visa.

8 Q. Same question about that account, have you
9 requested the statements for the Bank of
10 America credit card?

11 A. Yes.

12 Q. Okay. Including the year 2012?

13 A. Yes.

14 Q. Good, okay. Now for the Visions Federal
15 Credit Union in 2012, did you also have a
16 debit card that you could use to go to an ATM
17 and take money out of a checking or a savings
18 account?

19 A. Correct.

20 Q. You did?

21 A. Correct.

22 Q. Did you have both a savings and a checking
23 account from --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. -- Visions FCU --

3 A. Correct.

4 Q. -- in 2012? Okay. Just wait until I get to
5 the end of the question, but you're doing
6 great, much better than him. Actually, he was
7 a model witness too.

8 Were there times that you would use the --
9 in 2012 when you were out on the road driving
10 away from home would you use the Visions debit
11 card to access your checking or savings in
12 Visions to get some cash out of the ATM?

13 A. Correct.

14 Q. Yeah, okay. And did you use the card to
15 purchase things as well? In other words, as
16 if it was were a credit card?

17 A. Correct.

18 Q. Okay. So did you ask for statements from
19 Visions Federal Credit Union for the year 2012
20 and the other years that we had asked for bank
21 statements?

22 A. Correct, I did.

23 Q. You did, okay.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. Did you put all those requests in about a
3 month ago?

4 A. Correct.

5 Q. Have you got any of them --

6 A. Except for Visions. I talked to Visions on
7 the phone and right now they asked me what
8 year because they're going to charge \$3 a page
9 for -- so I told them I would get in contact
10 with them.

11 Q. Okay.

12 A. Because I wasn't sure what years I needed.

13 Q. Yeah.

14 A. So we're looking at 2012?

15 Q. 2012 is the year that I'm most interested in.
16 I know we had requested other years as well.

17 A. Because I've been paperless for so long.

18 Q. Yeah.

19 A. That they said they'd have to dig in their
20 archives.

21 Q. Mm-hmm. Okay. Well --

22 A. And they're in the process of doing that. I
23 have to call them back.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Well, I'm glad that you started that process.
2 Oh, okay. Another question. Back in 2012 did
3 you retain receipts of purchases that you made
4 whether it was at a supermarket or bookstore,
5 gas purchases, things of that nature?

6 A. No.

7 Q. No. Has there been any point in your lifetime
8 where you were retaining receipts so that you
9 could hand them over to your CPA to do the tax
10 returns?

11 A. We take the standard deduction so we do not
12 have to.

13 Q. Is there anything that you purchase that you
14 do keep the receipt for?

15 A. No.

16

17 The following was marked for identification:

18 Exhibit 32 YouTube Video titled the
19 Power of RAW Cannabis

20

21 **BY MR. BORON:**

22 Q. Okay. Ma'am, showing you what's been marked
23 Exhibit 32 for today's deposition. For the
record, this is a one-page exhibit.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 A. Okay.

2 Q. Do you go by the -- by the username
3 LadyDeathZ, all one word, in some social media
4 postings?

5 A. I do.

6 **MR. MAZZOLA:** I think it's deaths.

7 A. It's LadyDeath.

8 Q. Did you watch this YouTube video on
9 September 8th, 2012 called the Power of RAW
10 Cannabis?

11 A. I don't remember watching it. I'm sure I did.

12 Q. When you say you don't remember watching it,
13 but then you say I'm sure I did that's kind of
14 a contradiction. Can you help me understand?

15 A. I don't remember the video. This video in
16 particular.

17 Q. Okay.

18 A. So I couldn't give you any content about what
19 the video is about.

20 Q. Okay. Do you have your own username for
21 Facebook?

22 A. I do.

23 Q. Is it the same as we see here for YouTube?

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. LadyDeathZ?

3 A. No.

4 Q. What is it for Facebook?

5 A. It's my name.

6 Q. Okay. With a middle name or just your first
7 name and the hyphenated last name?

8 A. It's Cindy Harp-Horn.

9 Q. Okay. Have you had that username since 2012?

10 A. Correct.

11 Q. And is that your name for any social media for
12 anything besides Facebook?

13 A. Twitter.

14 Q. Any other social media?

15 A. I have Instagram.

16 Q. Okay. Same username, correct?

17 A. I believe. I'm not sure. I don't use
18 Instagram.

19 Q. Have you posted anything to YouTube ever?

20 A. Not publicly, no.

21 Q. Have you ever posted anything to anything on
22 any social media page for this litigation that
23 we're here for today?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I don't know as far as not that -- I've never
2 posted anything that I'm suing or I'm in
3 court, nothing to that.

4 Q. Have you ever posted on social media asking
5 for people that purchased the Dixie X product
6 to contact you?

7 A. No.

8 Q. Have you ever posted anything on a Dixie X
9 website?

10 A. I do not believe so.

11 Q. In 2012 did you have some interest in learning
12 more about the power of raw cannabis?

13 A. Correct.

14 Q. Why did you have that interest?

15 A. Because I believe in health.

16 Q. What else -- what other kinds of products were
17 you learning about so you could learn more
18 about health in 2012?

19 A. Juicing raw vegetables.

20 Q. What did you do to increase your knowledge
21 about juicing raw vegetables or raw cannabis?

22 A. Watching different documentaries and YouTube
23 videos.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Before 2012 did you ever have an interest in
2 learning more about juicing raw vegetables or
3 raw cannabis?

4 A. I watched something fat, dead and nearly -- or
5 it's something like that. Fat, Sick and
6 Nearly Dead by Joe Cross.

7 Q. Is that a documentary?

8 A. It is.

9 Q. When did you watch that?

10 A. I believe when it first came out in 2000 -- it
11 was either '10 or '11, I'm not sure.

12 Q. Was it -- this research you're describing
13 including watching the documentary called Fat,
14 Sick and Nearly Dead that led to you and your
15 husband starting to consume hemp milk?

16 A. Correct.

17 Q. And hemp shakes?

18 A. Correct.

19 Q. What other hemp products did you start to
20 consume?

21 A. That was about it. That was it.

22 Q. No brownies or cookies or?

23 A. No. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. When did you and your husband begin to start
2 to consume hemp milk, what year?

3 A. I believe 2010.

4 Q. Are you still consuming hemp milk today?

5 A. No.

6 Q. When did you stop consuming it?

7 A. It was too hard to buy on the road, so about
8 2011. We went to almond milk.

9 Q. When you say about 2011, does that mean you
10 don't remember the exact date you stopped --

11 A. I do not.

12 Q. -- consuming hemp milk?

13 A. I do not.

14 Q. So you could have been consuming hemp milk in
15 2012?

16 A. No. I was researching almonds because almonds
17 is a cash crop in California and I grew up
18 around almonds and almond milk started to be
19 the new rage everybody was getting into. I
20 really do not drink milk, so it was just to go
21 into the shakes and you can buy almond milk
22 pretty much anywhere.

23 Q. Where were you purchasing the hemp milk from?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Wegmans.

2 Q. Is that the only place you purchased the hemp
3 milk?

4 A. I can't think of the name. It's in Ithaca
5 called Green Star. They're a natural whole
6 foods store.

7 Q. Did you purchase the hemp milk first at Green
8 Star or first at Wegmans?

9 A. Wegmans.

10 Q. Wegmans is a supermarket --

11 MS. LINDSTROM: I know. I went to SUNY
12 Binghamton.

13 Q. Oh, yeah. Yeah. Was your husband consuming
14 hemp milk in any -- in any way other than
15 through the shakes?

16 A. No.

17 Q. Would that be the same for you as well?

18 A. Correct.

19 Q. What else went into those shakes? Some --

20 A. Water.

21 Q. -- powder?

22 A. Correct.

23 Q. And where did you get the powder?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. It depends on what brand of shake I bought.

2 Q. Well, were you ordering the powder online or
3 buying it at a supermarket like Wegmans?

4 A. Both.

5 Q. Was any of the powder that you were putting
6 into your shakes being produced by Dixie?

7 A. No.

8 Q. Did you know of the company called Dixie in
9 2011?

10 A. No.

11 Q. Were you purchasing the powder for the shakes
12 at Green Star in Ithaca?

13 A. No.

14 Q. Where were you purchasing that?

15 A. Wegmans.

16 Q. Did the hemp shakes help you and/or your
17 husband lose weight?

18 A. It helped me.

19 Q. It helped you. It didn't help your husband
20 lose weight?

21 A. Some.

22 Q. Some, okay. When you stopped using the hemp
23 shakes, were you able to maintain the body

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 weight that you had reached after losing some
2 weight?

3 A. Yes.

4 Q. Yes. Have you done any other kind of diet
5 programs since 2012?

6 A. Just eating healthy. Just vegetables, you
7 know, trying to stay on target.

8 Q. Did Dr. Choi ever assist you with a dietary
9 plan?

10 A. No, not assist.

11 Q. Did he ever recommend a particular diet?

12 A. No.

13 Q. Did you consult with Dr. Choi before consuming
14 the hemp milk or the hemp shakes?

15 A. Going on a diet, but not specifically hemp
16 shakes.

17 Q. Was that in the year 2010 that you consulted
18 with Dr. Choi about going on a diet?

19 A. Consulting Dr. Choi is a regular basis when it
20 comes to dieting.

21 Q. Have you ever consulted with Dr. Choi simply
22 through e-mails as oppose to being there at
23 the office face-to-face?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. Did Dr. White prescribe any pain medication
3 for you after the wreck?

4 A. She did.

5 Q. What did she prescribe?

6 A. Tramadol.

7 Q. Did you take the tramadol?

8 A. I did not.

9 Q. Do you still have the tramadol that Dr. White
10 prescribed?

11 A. When I went to go get it filled the pharmacist
12 informed me that tramadol is a derivative to
13 codeine and when he called the doctor she said
14 it was going to be okay and I discussed it
15 with the pharmacy and he agreed that it would
16 be better not to take it because I didn't want
17 to have any reactions.

18 Q. Was there a different drug prescribed to
19 substitute for tramadol?

20 A. No.

21 Q. Were you taking any pain medication after the
22 wreck?

23 A. No, nothing prescribed. Just Tylenol.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. After you were clear to drive in 2012 were you
2 still taking Tylenol for pain?

3 A. Off and on.

4 Q. Would you take a bottle of Tylenol when you
5 were out on the road driving?

6 A. Correct.

7 Q. And where did you obtain your Tylenol?
8 Supermarket? A drugstore?

9 A. Usually at home. Just any -- usually at any
10 Wegmans.

11 Q. Did you ever buy your Tylenol over the
12 Internet?

13 A. No.

14 Q. Did you ever buy your Tylenol on the streets?

15 A. No.

16 Q. Your husband testified that you tried the
17 product that was ordered from Dixie X one
18 time?

19 A. Correct.

20 Q. What date was that?

21 A. I do not know.

22 Q. Was it after he tested positive for the dirty?

23 A. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did you try the product before your husband
2 tried it?

3 A. No.

4 Q. Was your urine tested within two weeks of your
5 trying the product?

6 A. I'm uncertain.

7 Q. You're uncertain as to the length, the period
8 of time that I stated there, the two weeks?

9 A. Correct.

10 Q. Could it have been shorter than two weeks?

11 A. I honestly do not know.

12 Q. Where were you when you tried the product?

13 A. On the road.

14 Q. Do you remember which state you were in?

15 A. No.

16 Q. Did you try the product inside the truck?

17 A. Correct.

18 Q. You were in the -- were you in the same spot
19 you were in, you know, when the accident
20 occurred, the sleeper cab or something?

21 A. Oh, the sleeper.

22 Q. The sleeper. Is that where you tried it, you
23 were in there?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. You were sitting in one of the seats of the
3 truck?

4 A. Correct.

5 Q. How did you use the product?

6 A. Put a little under my tongue.

7 Q. Okay. Did you open up the container?

8 A. Correct.

9 Q. You opened it physically with your two hands?

10 A. Correct.

11 Q. Okay. And then you used the eye dropper?

12 A. Correct.

13 Q. And you eye dropped a couple drops underneath
14 your tongue?

15 A. Correct.

16 Q. Is that the way you had seen your husband
17 consume it in the past?

18 A. Correct.

19 Q. Did either of you ever miss the product with
20 something else that you then drank?

21 A. No.

22 Q. No. So when the product hit underneath your
23 tongue did you taste something?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. What was the taste?

3 A. Cinnamon.

4 Q. And how many drops did you put under your
5 tongue?

6 A. Two.

7 Q. Was it daytime or nighttime when you did this?

8 A. I do not remember.

9 Q. How soon were you then driving the truck after
10 you put those drops under your tongue?

11 A. I do not remember.

12 Q. After putting the drops under your tongue did
13 you consume any food or drink in the next
14 hour?

15 A. I don't remember.

16 Q. Did you experience any changes, either
17 physically or psychologically after taking the
18 drops of the product?

19 A. No.

20 Q. Why did you take a test of the product?

21 A. My neck was hurting.

22 Q. You believed that the product was going to
23 help your neck pain?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I did.

2 Q. Why did you believe that?

3 A. That was one of the claims that Dixie X
4 claimed on their website.

5 Q. Which Dixie X -- which website are you talking
6 about? Do you have like the --

7 A. I don't have the URL. It was the actual Dixie
8 X website where I went to order the product.

9 Q. The same website that you ordered this product
10 on is --

11 A. Correct.

12 Q. -- where you saw this information --

13 A. Correct.

14 Q. That you perceived that it was communicating
15 that this product would help you with neck
16 pain?

17 A. Correct.

18 Q. And do you have any record -- did you bring
19 any record with you today or yesterday that
20 shows that you accessed the Dixie X website
21 and got this information?

22 A. I don't have that today.

23 Q. Did you have it here yesterday in that bag of

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 materials that you brought?

2 A. I did not.

3 MR. HOUSH: Object to form.

4 Q. Did you make a screen print of any information
5 that you looked at on the Dixie X website?

6 A. I did and I handed that over to Mr. Benjamin.

7 Q. Were those screen prints after your husband
8 had tested dirty?

9 A. I honestly cannot say.

10 Q. Were there dates printed on the bottom
11 right-hand corner of the screen prints you
12 were making?

13 A. I cannot say.

14 Q. Is it because you can't recall or you don't
15 want to hurt your case by answering the
16 question?

17 MR. HOUSH: Object to form.

18 A. I can't recall.

19 Q. Okay. So if we were to show you screen prints
20 that have dates in the bottom right-hand
21 corner would you have any reason to think that
22 your screen prints were not printing dates in
23 the bottom right-hand corner?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 **MR. HOUSH:** Object to form.

2 A. I can't say one way or another.

3 Q. When's the first time that you went on to a
4 Dixie X website?

5 A. After I saw the article in the magazine.

6 Q. When did you first see the article in the
7 magazine?

8 A. When we were in Freeport, Texas before we
9 purchased the product.

10 Q. Are you certain it was in Freeport, Texas that
11 you obtained the magazine?

12 A. Yes.

13 Q. What makes you so certain that you were in
14 Freeport, Texas when you obtained the
15 magazine?

16 A. Because we got laid over in Freeport waiting
17 for a load and a friend of ours who also drove
18 for Enterprise who was no longer driving said
19 she was going to meet us at Chili's Downtown
20 Freeport to have lunch so I wanted to go to a
21 Starbucks. They don't have a Starbucks in
22 Freeport. They have another bookstore like
23 Barnes & Noble. I do not remember their name

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 and they have their own coffee shop there so
2 we went there to hang out until we could meet
3 her and while we were there is when we saw the
4 magazine.

5 Q. What's the name of this book store --
6 bookstore and coffee shop?

7 A. I don't remember the name of the bookstore,
8 but I know it was -- it was like a Barnes &
9 Noble and it had a coffee shop in there. It's
10 like an off brand.

11 Q. So it's a place that sold books and magazines
12 and --

13 MR. HOUSH: Coffee.

14 Q. -- recordings, like CDs that you would listen
15 to?

16 A. I don't think they sold CDs.

17 Q. No. So it wasn't like Barnes & Noble in that
18 respect?

19 A. Oh, I'm thinking music CDs. If you're talking
20 about audio CDs, correct.

21 Q. Okay. Music CDs, you didn't see those being
22 sold in that store?

23 MR. MAZZOLA: When was the last time you

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 bought one of those?

2 **MR. HOUSH:** I buy them all the time.

3 **BY MR. BORON:**

4 Q. In the store what was sold besides coffee, you
5 know, for consumption?

6 A. For consumption, it was set up like a
7 Starbucks so they had pastries, tea, coffee.

8 Q. Were there any hemp-based products being sold
9 in the store?

10 A. Not to my knowledge.

11 Q. Were there any natural products being sold in
12 the store?

13 **MR. HOUSH:** Object to form.

14 A. Not to my knowledge.

15 Q. Were you at the magazine rack at some point
16 when you were inside that store?

17 A. Yeah, we were at the book racks. I was
18 looking at books.

19 Q. You never went to the magazine section of the
20 store?

21 A. The magazine section was near the coffee, but
22 we sat down at a table and there were a bunch
23 of magazines that were off. And the table

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 that we sat at just happened to have that book
2 on it.

3 Q. By that book you mean the High Times Fall 2012
4 addition?

5 A. Correct.

6 Q. So you didn't browse any other magazines at
7 that store?

8 A. We browsed books.

9 Q. And what kind of books were you browsing?

10 A. Diet books, cooking books, children's books.

11 Q. Did you purchase any books that day?

12 A. Just the magazine.

13 Q. Did both of you purchase drinks at that store?

14 A. Correct.

15 Q. So there was a magazine purchased plus two
16 drinks. Was there anything else purchased?

17 A. No.

18 Q. What did the bill total come to?

19 A. I don't know.

20 Q. Was it more than \$20?

21 A. The magazine purchase was separate. It was
22 like a Starbucks so you bought your coffee and
23 then you -- it was like a Barnes & Noble and

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 you buy your coffee and you go and buy your
2 magazine at a different spot.

3 Q. So you actually had two purchase transactions?

4 A. I believe so.

5 Q. One was the beverages and the other
6 transaction was purchasing the magazine?

7 A. I believe.

8 Q. Did your friend meet you at the store?

9 A. No.

10 Q. What other magazines were on the table where
11 you found the High Times magazine that you
12 ended up buying?

13 A. That was the only one on the table.

14 Q. I thought I heard you say there was other
15 magazines?

16 A. On other tables. When we sat down somebody
17 had been looking at it before we sat down.

18 Q. What made you sit down with a magazine on it
19 rather than a table that had a clear counter
20 top?

21 A. Because there was no other place to sit.

22 Q. What time of day was it before you were there
23 getting this drink? In the morning before

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 lunch?

2 A. Before lunch.

3 Q. Are you absolutely certain it was before 12
4 noon?

5 A. I'm not positive. I know we went to meet her
6 for lunch.

7 Q. What's the absolute latest point in time it
8 could have been that you purchased that
9 magazine that time of day?

10 A. I couldn't tell you.

11 Q. Is it possible that you purchased it at 7 p.m.
12 at night?

13 A. No.

14 Q. Is that too late?

15 A. Correct.

16 Q. Are you certain that you purchased it before 1
17 p.m.?

18 A. I'm not.

19 Q. Are you certain you purchased it before 2
20 p.m.?

21 A. Pretty certain.

22 Q. Did you purchase the magazine before you met
23 your friend for lunch?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. Did you take the magazine with you when you
3 went for lunch?

4 A. No.

5 Q. What did you do with the magazine before you
6 met your friend for lunch?

7 A. It was in the truck.

8 Q. You left it in the truck?

9 A. Correct.

10 Q. Did you discuss the magazine with your friend?

11 A. No.

12 Q. Did you make your friend aware that you
13 purchased the magazine?

14 A. It wasn't subject to talk about, we talked
15 about work.

16 Q. How long were you sitting at the table when
17 you were inside the store?

18 A. I'm not sure.

19 Q. Was it under an hour?

20 A. I'm not sure.

21 Q. Was it under two hours?

22 A. I'm not sure.

23 Q. Was it under six hours?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Yes.

2 Q. Was it under four hours?

3 A. Yes.

4 Q. Was it under three hours?

5 A. I believe so.

6 Q. So the magazine was left in the truck when you
7 went to meet with your friend, correct?

8 A. Correct.

9 Q. And then after you met with your friend were
10 you immediately leaving to go on the road or
11 were you still laid over for a while?

12 A. I believe we got a dispatch that night.

13 Q. How long all together was that layover in
14 Freeport, Texas?

15 A. I believe it was at least 24, it might have
16 been 36 hours.

17 Q. Did you purchase any other goods or
18 merchandise in Freeport anywhere in that 24 to
19 36 hour layover period?

20 A. I'm not sure.

21 Q. Did you access an ATM to obtain cash during
22 that 24 to 36 hour layover period?

23 A. I'm not sure.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. How often in the month of September 2012 were
2 you in Freeport, Texas?

3 A. Could have been twice.

4 Q. Maximum two times?

5 A. Correct.

6 Q. If there was another time that you were in
7 Freeport, Texas 2012 would it have been for a
8 24 to 36 hour layover period?

9 A. I don't believe so.

10 Q. Would it have been a shorter period of time in
11 Freeport?

12 A. Yes.

13 Q. Did you stay in a hotel when you were in
14 Freeport, Texas?

15 A. We -- I believe we stayed -- when we were laid
16 over, yes, we did.

17 Q. Which hotel did you stay in when you were laid
18 over?

19 A. Sheri's.

20 Q. How do you spell that?

21 A. It was a company motel so I don't know if it
22 was C-H-E-R-I-S or S-H-E-R-I-S.

23 Q. When you say company hotel what are you

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 talking about?

2 A. The company has an account with motels so we
3 would go to the company motel.

4 Q. And you used a company credit card to pay for
5 it?

6 A. No, it was direct billing.

7 Q. Direct billing to you or your husband?

8 A. Enterprise Transportation Company.

9 Q. Was the billing on a corporate credit card
10 from Enterprise?

11 A. I have no idea.

12 Q. You don't know?

13 A. I don't know.

14 Q. So you would go to this particular motel and
15 show them proof that you're Enterprise
16 employees and you don't have to pay anything
17 out of your own pocket to stay there?

18 A. In essence.

19 Q. Okay. Did you have to make a --

20 A. Dispatch would know that and would ask do you
21 want to stay at the company hotel, we say yes,
22 they call the company hotel, let them know
23 that we're coming in, we give them our truck

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 number, sometimes you have to give them your
2 ID number and then they have rooms that are
3 blocked off and set up for Enterprise.

4 Q. Okay. And is that your recollection of how
5 things happened for that particular layover in
6 Freeport, Texas?

7 A. Correct.

8 Q. All right. Where did you go from Freeport,
9 Texas when you left there?

10 A. I'm not sure if we went to Baytown or Avenel.

11 Q. Where is Baytown?

12 A. Texas.

13 Q. So you may have gone to Baytown.

14 A. Correct. Which is another terminal.

15 Q. Did you have a layover in Baytown?

16 A. No.

17 Q. If you didn't go to Baytown then you would
18 have been coming up to Avenel in New Jersey?

19 A. I believe.

20 Q. And was that because you were delivering?

21 A. They put us on a load.

22 Q. So you delivered a load from Freeport to
23 Avenel?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. You just don't remember if you stopped in
3 Baytown first?

4 A. They might have sent us up to -- because I
5 know one time we got sent up to Baytown and
6 then they had us pick up a load there because
7 there was no load coming out of Freeport and
8 they did that sometimes so you would pull an
9 empty tank to a terminal and that terminal
10 would have a loaded tank for you and they you
11 go wherever they send you. And they like to
12 send us to terminal to terminal.

13 Q. So when you got to the terminal in Avenel you
14 now had a load that got unloaded?

15 A. No, you would drop the load in the yard and
16 then pick up paperwork -- pick up a loaded or
17 an empty depending on where they send you.

18 Q. Okay. Did you go directly home after Avenel?

19 A. No.

20 Q. No. Where did you go next?

21 A. I don't remember.

22 Q. What records would show us where you went
23 next?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Logbooks, dispatch. We had no control over
2 where we go.

3 Q. Okay. And you have no memory as to where you
4 went after Avenel?

5 A. I barely remember the loads I did, you know,
6 last week, but I do remember it was either
7 Baytown or Avenel that we went to.

8 Q. Now where in Texas is Freeport located?

9 A. It is south of Galveston.

10 Q. Is it in the southern half of Texas?

11 A. It's -- you know where Houston is?

12 Q. Yeah.

13 A. It's south of Houston. It's about 100 miles
14 from us.

15 Q. Okay. So in terms of the distance of the
16 Mexican border, from there how far were you
17 from the Mexican border when you were in
18 Freeport?

19 A. I don't --

20 Q. More than an hour's drive?

21 A. Oh, definitely.

22 Q. Okay.

23 A. Probably five hours.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 Q. Okay. Did the magazine stay in the truck
2 throughout the whole trip?

3 A. It did.

4 Q. And when you finally got back home did the
5 magazine stay in the truck?

6 A. It did.

7 Q. At what point did you stop storing the
8 magazine in the truck?

9 A. When he got fired.

10 Q. So it was out in the truck the whole time
11 until after you received notification of his
12 dirty urine test?

13 A. Correct.

14 Q. Was there any page of the magazine that was
15 read besides that page 42 that we looked at
16 yesterday with your husband? Where is the
17 magazine?

18 MR. MAZZOLA: It should be right there.

19 MR. BORON: Is this the actual --

20 MR. MAZZOLA: No.

21 BY MR. BORON:

22 Q. Oh, thank you very much. I'm handing you
23 Exhibit 24 from yesterday's deposition.

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Okay.

2 Q. Opening it up to page 42 and my question is:
3 Is this the only page that you ever read in
4 this magazine, page 42?

5 A. I read through the magazine a couple times. I
6 skimmed through it. I remember I read a
7 little bit about the DEA. I don't remember
8 the context of it. I remember I did read some
9 of this article.

10 Q. Well, tell us for this record which article
11 you're referring to.

12 A. Putting the DEA on Trial, but I don't remember
13 the context.

14 Q. Did you read that article about putting the
15 DEA on trial after your husband had tested
16 positive for THC in his urine?

17 A. No. And then I read the article Weil Style
18 and he has a book that I own that I believe
19 it's on back injuries and that's about it. I
20 just -- like I said, what I'm doing now, just
21 skimming the book.

22 Q. Where were you doing the reading that you just
23 described? Inside the truck?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Inside the truck.

2 Q. In 2012 did you own a smartphone?

3 A. I did.

4 Q. What brand?

5 A. I believe it was an LG.

6 Q. Did you ever read any of those articles that
7 you just described when you were in your home
8 in Lockwood, New York?

9 A. No.

10 Q. In that magazine that's Exhibit 24 there's
11 recipes -- cooking recipes, did you read those
12 recipes?

13 A. No.

14 Q. Did you ever try to prepare any foods
15 according to those recipes?

16 A. No.

17 Q. Okay. Had you ever seen a High Times magazine
18 before this particular one that's marked as
19 Exhibit 24?

20 A. No.

21 Q. Did you know what High Times magazine was
22 before the day that you saw Exhibit 24 the
23 first day?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. Did anyone in your family ever subscribe to
3 High Times magazine?

4 A. No.

5 Q. Before you began to use the hemp milk product,
6 2010?

7 A. Correct.

8 Q. Yes. What was the nature of the investigation
9 you did about the product?

10 A. I called the companies.

11 Q. Who was producing the product?

12 A. I think it's Nutiva.

13 Q. Do you know how to spell that?

14 A. N-U-T-I-V-A.

15 Q. Did you ask particular questions on the phone?

16 A. Correct. I called the 1-800 number.

17 Q. What questions did you ask?

18 A. If it contained THC.

19 Q. You were talking to a customer representative
20 on the phone?

21 A. Correct.

22 Q. What were you told when you asked if it
23 contained THC?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. That all products that are made for consumer
2 use using hemp contains zero percent THC.

3 Q. Somebody on the phone from Nutiva told you
4 that?

5 A. Correct.

6 Q. Did you record that conversation?

7 A. No.

8 Q. Did you get -- do you know what the name of
9 the person was that told you that information?

10 A. No.

11 Q. Is that the only question that you asked when
12 you called Nutiva?

13 A. I asked for their website, which I confirmed,
14 it was on the container.

15 Q. What do you mean it was on the container?

16 A. Their website was on the container, I just
17 obtained that that's where I can get more
18 information and they told me to go to their
19 website to get more information.

20 Q. Did you do that?

21 A. Yes, I did.

22 Q. What's the URL for that website?

23 A. You know if you just do the Google search

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 under Nutiva it will come up.

2 Q. Was your husband with you when you were doing
3 this research online?

4 A. He was wandering the store.

5 Q. Wandering the store?

6 A. Yeah, looking at different --

7 Q. Okay. So you were doing this research while
8 you were in a supermarket?

9 A. Correct.

10 Q. Were you doing any research while you were not
11 in the supermarket?

12 A. I went on the website at the store with my
13 phone.

14 Q. Did you also make that phone call, the 1-800
15 number while you were at the store?

16 A. I believe -- yes, I did.

17 Q. Was it a Wegmans store?

18 A. Yes, it was.

19 Q. Did the hemp milk product that you purchased
20 at Wegmans have the name Nutiva on it?

21 A. You know, I cannot remember the brand. This
22 brand is still in the supermarket. I don't
23 remember that brand.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 Q. Is this brand still being sold today?

2 A. Correct.

3 Q. But you haven't brought it since 2011?

4 A. No.

5 Q. Do you know anyone else who has purchased and
6 used the hemp milk?

7 A. Personally, no.

8 Q. No. Before you purchased and used the hemp
9 milk did you talk to anyone else who had
10 purchased and used it?

11 MR. HOUSH: Can I interrupt for a
12 second?

13

14 (Discussion held off the record)

15

16 (Record read back by reporter)

17

18 THE WITNESS: No, I did not.

19 BY MR. BORON:

20 Q. So if I understand you correctly, with respect
21 to the hemp milk you did all of the research
22 before you bought the product from the
23 supermarket using your cell phone?

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. Okay. Now with respect to the Dixie X
3 product, yesterday your husband testified that
4 there was some research done about the Dixie X
5 product before it was purchased?

6 A. Correct.

7 Q. Were you the person that actually purchased
8 the product?

9 A. Correct.

10 Q. How did you purchase it? With a credit card
11 transaction?

12 A. I believe so.

13 Q. Did you have to go online to make the
14 purchase?

15 A. Correct.

16 Q. Put the order in?

17 A. Correct.

18 Q. What website did you go on to purchase the
19 product?

20 A. DixieX.com.

21 Q. What day did you purchase the product?

22 A. I'm not sure.

23 Q. Okay. Would it refresh your memory if we

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 showed you an invoice?

2 A. Sure.

3 Q. I'm going to show you what was marked as
4 Exhibit 27 for the deposition. For the
5 record, it's two pages long. First page has a
6 heading that says invoice and the second page
7 of invoice says heading and that says packing
8 slip. Your name appears in both the bill to
9 and ship to sections; do you see that?

10 A. Correct.

11 Q. Okay. Looking at the invoice and the dates
12 that it shows payment and shipment being made
13 refresh your memory as to when you did your
14 researching of the Dixie product?

15 A. It says September 17th.

16 Q. Where do you see September 17th?

17 A. Order date.

18 Q. Okay. Did you place the order on one day and
19 then make the payment or authorize the payment
20 to be done on a different day?

21 A. No, I went to the website, put in the order,
22 and that was it.

23 Q. Okay. How long did it take from the time you

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 put the order in on the website for the
2 product to arrive?

3 A. I honestly don't know.

4 Q. Were you and your husband out on the road when
5 the product arrived at the house?

6 A. It did.

7 Q. Did the product arrive in a shipping box?

8 A. I wasn't there when the product arrived.

9 Q. Okay. When's the first time you saw it?

10 A. When we were at the truck stop when Elizabeth
11 brought it to us.

12 Q. Why did you -- why was Elizabeth asked to
13 bring it to you?

14 A. I didn't have the hours, James didn't have the
15 hours to get to the house.

16 Q. Was there other mail and bills and so forth
17 that were also brought out to you by Elizabeth
18 at the same time?

19 A. No.

20 Q. How far did Elizabeth have to travel to bring
21 the product to you?

22 A. It was in Scranton. From the house to
23 Scranton which is about 100 miles.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did Elizabeth bring you anything else from the
2 house besides this product?

3 A. I don't remember. I don't think so.

4 Q. Is there a Scranton terminal that you were at
5 at the time?

6 A. Truck stop, Petro.

7 Q. Why didn't you just wait to start using the
8 product when you got home?

9 A. Because James was in pain.

10 Q. Had the two of you been out on the road for
11 some period of time already at that point?

12 A. We had.

13 Q. More than a week?

14 A. I believe so.

15 Q. Okay. I'm directing your attention to page 42
16 of Exhibit 24. In that article about the
17 product, the Dixie X product, does it describe
18 that it will produce pain relief for people?

19 A. It says it's a CBD -- utilizing CBD for
20 medical benefit.

21 Q. So your answer is no, it doesn't say that it
22 will provide pain relief?

23 MR. HOUSH: Object to form.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. It says for medical benefit. Medical benefit
2 to me is -- is for any type of medicinal use,
3 that's what that means to me so it can be
4 pain, it can be headache. When you're talking
5 medicine and medical that's what that pertains
6 to me. It does not say specifically pain, no.

7 Q. Is there any reference in that article to the
8 product providing help for inflammation of
9 joints, tendons, any part of the body that was
10 inflamed?

11 A. Those words are not in the article, no.

12 Q. After reading that article in the magazine how
13 did you perceive the product could help your
14 mother with her cancer treatments?

15 A. I was looking at the product -- this
16 product -- when I saw this product it's
17 stating that there is zero percent THC and
18 that this can help in any medical use that you
19 need. Then I went to the website -- the
20 website is more in depth that's why I went to
21 the website after I read this article. As far
22 as my mother's cancer I was looking at
23 different things for my mother for her cancer.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Like what?

2 A. There's articles that are coming out daily
3 about CBD. CBD has been known to actually
4 help fight cancer. We all have CBD in our
5 bodies naturally. When you take CBD into your
6 body it actually can produce an immune system.
7 CBD is good for us.

8 Q. Where does CBD come from?

9 A. CBD is in a lot of things. CBD is in hemp.
10 One of the things marijuana has hemp -- excuse
11 me, has CBD.

12 Q. What's else is CBD in?

13 A. You know, off the top of my head I just read
14 it about two weeks ago, so I know that they
15 were talking about other plant sources that
16 had CBD. I couldn't tell you at the moment.

17 Q. So what you just described to me is something
18 you learned in the last two weeks?

19 A. No, I knew about CBD. I found out about CBD
20 when I started researching this and then I was
21 looking into different articles on the
22 Internet about CBD.

23 Q. Are you aware of CBD being the product of

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 anything other than the marijuana plant?

2 A. I read an article --

3 MR. HOUSH: Object to form.

4 A. -- two weeks ago that how CBD is in other
5 products I just -- other plants. I couldn't
6 tell you right now what the plants are. I
7 skimmed it.

8 Q. Okay.

9 A. I do know we all have CBD in our own bodies.

10 Q. Okay. Did you contact your mother after
11 reading the article that's on page 42 of
12 Exhibit 24?

13 A. I don't know if I did or not.

14 Q. Where does your mother reside today?

15 A. California.

16 Q. So five -- five years removed now from cancer
17 diagnosis. She's still alive?

18 A. Correct.

19 Q. Has she beaten the breast cancer?

20 A. She has.

21 Q. Great. Did your mother consume any hemp-based
22 products while she was fighting the cancer?

23 A. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did you recommend that she consume any
2 hemp-based products while she was fighting the
3 cancer?

4 A. I did.

5 Q. What did you recommend she consume?

6 A. I told you that there were different products
7 out there.

8 Q. Such as?

9 A. It's just what I told her. She -- she didn't
10 want to hear it. Just wanted to do her
11 regimen with her doctor.

12 Q. You just had a general conversation with her?

13 A. Just had a general conversation with my mom.

14 Q. About different products that --

15 A. My mom is 82 years old.

16 Q. Did she go through chemotherapy?

17 A. She did, and radiation.

18 Q. Did you ever send her a copy of page 42 of
19 Exhibit 24?

20 A. No.

21 Q. Did you do any investigating of the Dixie X
22 product before your husband consumed it?

23 A. I did.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did you investigate the product at any point
2 in time when he was not present while you were
3 doing such investigation?

4 A. I did a lot of reading while he was driving.

5 Q. Okay. And were you reading from the High
6 Times magazine?

7 A. I read some articles from the High Times
8 magazine, but a lot of it was done on the
9 Internet.

10 Q. Okay. Did you make any handwritten notes
11 about the research from the Internet?

12 A. No.

13 Q. Did you print any pages off the Internet that
14 you had researched?

15 A. Later.

16 Q. After he had tested positive?

17 A. Correct.

18 Q. Did you call up the Dixie X company like you
19 had called up Nutiva?

20 A. I did.

21 Q. Before you purchased the product?

22 A. I did.

23 Q. You did. Did you call the 1-800 number?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I did.

2 Q. Why did you call the company?

3 A. I called the representative to talk to them
4 about the product.

5 Q. When did that call occur?

6 A. Before I ordered it.

7 Q. What number were you calling from?

8 A. My cell phone.

9 Q. What's your cell phone number at that point in
10 time?

11 A. (607) 321-8022.

12 Q. What's your service provider in 2012 at the
13 time you made that phone call?

14 A. Verizon.

15 Q. Do you have any objection signing an
16 authorization to allow us to obtain your
17 cellphone records --

18 **MR. HOUSH:** Object to form.

19 Q. -- for that cellphone?

20 **MR. HOUSH:** We'll discuss it.

21 A. I'll discuss it with my attorney.

22 Q. Have you, yourself, already obtained the phone
23 records from Verizon about that cellphone

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 call?

2 A. No.

3 Q. Did you make one phone call or more than one
4 phone call to Dixie X?

5 A. I don't remember.

6 Q. Did you make more than five phone calls to
7 Dixie X?

8 A. No.

9 Q. More than three phone calls to Dixie X?

10 A. I don't remember.

11 Q. How long were you on the phone the first time
12 you called Dixie X?

13 A. Not that long.

14 Q. More than five minutes?

15 A. It was a short conversation.

16 Q. Did it happen during the daytime or at
17 nighttime?

18 A. I'm not sure.

19 Q. Did it happen when it was light out or dark
20 out?

21 A. Honestly, I'm not sure.

22 Q. Who did you speak with at Dixie X?

23 A. Just a customer service representative.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. What was the name of that customer service
2 representative?

3 A. Did not get a name.

4 Q. Did you place the order after the conversation
5 during the same phone call?

6 A. No.

7 Q. Who did you ask to speak to from Dixie?

8 A. I asked them -- I told them I was a truck
9 driver and I asked them if they were zero
10 percent THC like it claimed on their website,
11 they confirmed it was. She told me that they
12 were in the process of being put into health
13 wellness stores.

14 Q. So you were speaking with a female?

15 A. I was.

16 Q. Could you tell by the voice on the other end
17 of the line whether it was an older female or
18 a younger female?

19 A. I don't know.

20 Q. Did the person on the other end of the line
21 have any kind of accent?

22 A. I don't remember there being an accent, no.

23 Q. Do you know where that person was located?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I do not.

2 Q. Did you speak with just one person during that
3 phone call?

4 A. I did.

5 Q. Did you ask specifically about just one of the
6 Dixie X products or were you asking in general
7 about all of the Dixie X products?

8 A. Just the Tincture, the dew drops.

9 Q. So you specified by using the name of the
10 product that appeared in the article of the
11 High Times magazine?

12 A. It was on --

13 Q. That you were asking about?

14 A. It was on the website.

15 Q. On the website. Was the name for the product
16 on the website the match for the product on
17 page 42 from High Times magazine?

18 A. Yeah, I believe so. It's on -- Dixie X dew
19 drops, that's what I asked. I was looking at
20 the website and I believe it was on my iPad
21 when I specifically was talking to them. So I
22 made sure when I was speaking to them I had it
23 in front of me so I knew exactly what I was

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 talking about.

2 Q. Do you still have a record on your iPad about
3 doing that research?

4 A. Remember in 2014 when they did the upgrade in
5 October? Do you have an apple?

6 Q. No, I don't.

7 A. Do you remember that? And so what happened
8 was my iPad crashed because I bought a
9 specific iPad to go on to Verizon, so that's
10 what it does, it uses Verizon, it would not go
11 on the Internet so it crashed. So I went down
12 to the store by Bethesda, Maryland, they
13 couldn't get my iPad up and running again so
14 they did a reset three times.

15 Q. So you still have the same --

16 A. Device.

17 Q. -- device, but it doesn't have the information
18 on it anymore that it once had?

19 A. It does not. It did not back up to the cloud
20 like it was supposed to and I ended up buying
21 a brand new iPad.

22 Q. Do you still have the original iPad that we're
23 talking about today?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I do.

2 Q. But you don't use it anymore?

3 A. I -- he -- James got it up and running a year
4 and a half later, but everything's been wiped
5 from it.

6 Q. When you say "wiped," you're talking about the
7 occurrence you just described in 2014?

8 A. Right.

9 Q. Okay. So what else was part of the
10 conversation with the Dixie X customer service
11 rep on the phone?

12 A. She told me it was general wellness and that I
13 would be fine.

14

15 (Recess taken)

16

17 (Record read back by reporter)

18

19 **BY MR. BORON:**

20 Q. We're back on the record after a lunch break.
21 You continue to be under oath, ma'am.

22 A. Correct.

23 Q. Okay. When you were told by the person on the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 phone that you would be fine, what was that an
2 answer to? Did you specifically ask whether
3 there would be a risk of positive drug tests
4 occurring after taking the product?

5 A. No, I asked if there was zero percent THC.

6 Q. Okay. So you didn't bring up the topic of
7 drug testing when you were on the phone with
8 the person?

9 A. No.

10 Q. Okay. In doing your research about the
11 product did you ever see any information that
12 indicated to you that Dixie X or any of the
13 other defendants that you sued intentionally
14 set out to defraud the public? In other
15 words, knew full well that this product had no
16 THC and yet marketed it -- I mean, knew full
17 well the product did have THC in it and yet
18 marketed it as one that didn't?

19 A. I have no idea. One way or the other I don't
20 know.

21 Q. Okay. Which of the defendants did you
22 purchase the product from?

23 A. I went to Dixie X's website which Medical --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Medical Marijuana, Inc. owns Dixie X, as well
2 as Red Dice Holdings.

3 Q. The question is: Who did you purchase the
4 product from? That's all I asked.

5 A. Dixie X's website.

6 Q. Did the payment go to Dixie X?

7 A. On the invoice it says Dixie X website.

8 Q. Well, does the invoice say who exactly is
9 getting paid the \$160 plus tax?

10 A. I went to the Dixie X website, DixieX.com.

11 Q. Okay. And that's where you placed the order?

12 A. Correct.

13 Q. I don't know --

14 A. I'm a consumer, I don't know -- all I know is
15 the information that's given to us, you know.

16 Q. Okay.

17 A. That's all I know.

18 Q. Okay. So you have no idea how any of these
19 defendants run or operate their business; is
20 that correct?

21 A. I'm not privy to that knowledge.

22 Q. Okay. Did your husband research how any of
23 these companies run or operate their business?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I'm not privy to that knowledge.

2 Q. Did you discuss with your husband sending the
3 remaining product that hadn't been used out
4 for testing?

5 A. He discussed that as he said in his testimony.

6 Q. Okay. So you weren't part of that decision
7 making as to whether -- whether to send it for
8 testing or not?

9 A. We agreed to send it for testing, but he's the
10 one that initially -- he's the one that talked
11 to EMSL, I believe. I didn't speak to them.

12 Q. Okay. Was your husband's testimony accurate
13 that the product -- the remainder of the
14 product was kept inside the bottle inside a
15 cupboard for the last five years or so?

16 A. Correct.

17 Q. Never moved out of that cupboard?

18 A. Correct.

19 Q. Has anything ever been added to the product
20 after each of you used the product?

21 A. Never.

22 Q. Did you have a problem with the way the
23 product tasted?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. Is there a reason why you didn't use it more
3 than once?

4 A. He was the one that was going to use it.

5 Q. Why did you place the order for it?

6 A. Just the way things go.

7 Q. Okay. Is it possible that he was driving when
8 the order was placed and that's why you placed
9 the order?

10 A. I don't know.

11 Q. All right.

12

13 The following was marked for identification:

14 Exhibit 33 Personnel Action Request

15 Exhibit 34 Screenshot of EP Termination
16 Record for Cindy Harp-Horn

17 **BY MR. BORON:**

18 Q. Ma'am, since you and your husband never had
19 the product tested that was taken before the
20 dirty sample, do you have any basis for
21 knowing exactly what the chemical properties
22 are of what was inside that bottle?

23 A. We went to order another 500 mega --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. But I'm asking about what was inside that
2 bottle. Do you know what the chemical makeup
3 was of the material that was inside the
4 bottle?

5 A. Just what it said on the label.

6 Q. Okay. And on the label did it say there was
7 THC inside the bottle?

8 A. It did not.

9 Q. So as you sit here today you have no basis for
10 saying there was THC in that product other
11 than your husband's positive drug test,
12 correct?

13 A. We had another bottle tested. I believe it
14 was the same as what we bought.

15 Q. It's the bottle that you never opened?

16 A. Correct.

17 Q. Okay. So you don't know what was inside that
18 bottle, correct?

19 A. I just know what the lab says.

20 Q. The -- there's a woman named Tamara Wise; do
21 you recognize that name?

22 A. I do.

23 Q. Did you ever speak to her in person?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Never.

2 Q. Did you ever communicate with her by e-mail?

3 A. No.

4 Q. Did your husband ever communicate with her in
5 any way?

6 A. He tried.

7 Q. Did he ever succeed in communicating with her
8 in any way?

9 A. I don't believe so.

10 Q. Okay. How did he try to communicate with her?
11 Via e-mail?

12 A. Correct.

13 Q. All right. I'm showing you what's been marked
14 as Exhibit 33 for today's deposition.

15 A. Okay.

16 Q. It's a one-page document. For the record at
17 the top it says Personnel Action Request. At
18 the bottom right-hand corner it says ENT 583;
19 do you see that?

20 A. Correct.

21 Q. Okay. Your name appears near the top,
22 correct?

23 A. Correct.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. And in the upper right-hand corner the box for
2 termination is checked?

3 A. Correct.

4 Q. In the type of termination box about halfway
5 down on the left side it says resigned,
6 there's a box checked resigned?

7 A. Correct.

8 Q. Does this perhaps reflect that you voluntarily
9 resigned from your position at Enterprise?

10 A. Correct.

11 Q. When did you make the decision to resign?

12 A. In January.

13 Q. And is it correct when it says last day worked
14 November 16, 2012?

15 A. That's not correct.

16 Q. What was your last day worked?

17 A. It was -- it was in October.

18 Q. Before the dirty drug test?

19 A. No, it was after because I had to drive from
20 Dumas, Texas to Avenel.

21 Q. Okay.

22 A. And I drove solo.

23 Q. And that would be the last day you worked

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 whenever you got back to Avenel?

2 A. Correct.

3 Q. Okay. Do you see the reference in the
4 comments regarding any of the above actions
5 where it says when she learned of the buyout
6 she changed her mind?

7 A. Correct.

8 Q. What is the buyout?

9 A. Keenan, but that's not -- this -- this is not
10 accurate.

11 Q. Have you seen this document before?

12 A. No.

13 Q. Do you know whose handwriting is on the
14 document?

15 A. No.

16 Q. In the comment section?

17 A. No.

18 Q. What's not accurate about what's in the
19 comment section?

20 A. On -- it was February 1st of 2013 I called
21 dispatch and I did talk to the terminal
22 manager and I told him that I did not feel
23 that I could be safe to be a solo. I was

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 supposed to go down to Corpus Christi.

2 Q. When your husband got terminated, did
3 Enterprise offer you a new position?

4 A. That's not how it worked. We had been talking
5 to Houston, which is central dispatch, and --
6 before he was terminated about getting out of
7 the chemical division and going down to the
8 crude because we had already been working in
9 North Dakota crude and we had been working in
10 Midland, Texas and so he said that sometime in
11 January or February that they were going to
12 have a position opened up down in Corpus
13 Christi, that they were going to give us each
14 our own trucks and that we would be running
15 from lac to lac running crude.

16 Q. What's a lac?

17 A. It's an oil -- it's not actually a refinery,
18 but it's where they store the oil.

19 Q. L-A-C-K?

20 A. I believe or L-A-C. And so you pull up, you
21 hook up your hoses to your tank and then you
22 pump it in, then you go to another lack and --
23 that way you don't have to grind the oil

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 because we were grinding in North Dakota.

2 It's easier.

3 Q. This is before your husband's --

4 A. Before he was terminated we had been talking
5 with dispatch over in Houston, central
6 dispatch, and they were getting ready to put
7 us down there.

8 Q. Okay. So when you say "talking," you had some
9 phone conversations with people down there or
10 written communications between --

11 A. Not written. We had spoken to these people
12 every day. We had already been given crude
13 oil employee numbers, like you see up here
14 10662, that's my employee ID number and we had
15 already been given crude oil numbers which we
16 were using in North Dakota and in Midland and
17 they had some guys that were down in Corpus
18 Christi that weren't working out so they were
19 going to get us another truck to go down there
20 February -- I believe it was January,
21 February, but we were going to be put into
22 crude.

23 Q. Who was telling you this?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Jared Ponder.

2 Q. How do you spell his name?

3 A. P-O-N-D-E-R.

4 Q. J-A-R-E-D for the first name?

5 A. I believe, yeah. He was the head dispatch for
6 the crude division.

7 Q. Was this a definite thing or just a
8 possibility?

9 A. No, it was definite. Were you going to go
10 down there.

11 Q. Were you going to have to move to Texas?

12 A. We didn't have to move immediately. It was
13 just up to us if we wanted to move or not. We
14 could fly home, we could do whatever we
15 wanted. A lot of the guys were doing that,
16 one guy was from Coraopolis.

17 Q. Did Jared send you some information about how
18 much you would be paid to do the crude work?

19 A. Crude is based on per barrel, so we had
20 already started getting paid that up in North
21 Dakota and also down in Midland.

22 Q. So it's not based on mileage anymore?

23 A. No, because the mileage is too short.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. So you would completely be at the mercy of
2 Enterprise in terms of how many barrels they
3 decided they needed shipped from one place to
4 another at any given time for you to make
5 money, correct?

6 A. Correct. They had a 25 years contract with
7 Chesapeake.

8 Q. Was an offer sheet given to you?

9 A. No.

10 Q. Did you accept or tell them that you were
11 going to go ahead and do that?

12 A. We did.

13 Q. You did?

14 A. We did.

15 Q. You told Jared Ponder that?

16 A. We did. We were waiting for the positions to
17 open and that's why here they're talking about
18 us changing and going down to Lake Charles
19 because that's the terminal that we were going
20 to be based out of, no longer out of Avenel.

21 Q. Lake Charles is in Louisiana, but near the
22 Texas boarder?

23 A. Correct.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. How much would you have made if you went ahead
2 and went down there yourself and began to
3 drive?

4 A. Like I said, it's on per barrel. Some of the
5 guys were making 2,000 a week solo. Some guys
6 were making \$2400 a week solo and some were
7 making less.

8 Q. And that offer was still there and open for
9 you to accept if you guys wanted to even if
10 your husband was terminated?

11 A. It was.

12 Q. You decided you didn't want to do that work?

13 A. No, I'd be working around a lot of men and I'd
14 be in isolation. There were no other women
15 down there and Corpus Christi is not down by
16 Victoria.

17 Q. Did you have another income stream to fall
18 back on at that point in time?

19 A. We did not.

20 Q. So you opted to resign, right?

21 A. I did.

22 Q. And you had no job to go to, correct?

23 A. I did not.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. So if there was an income hit, right, to your
2 family in 2013, it was partly as a result of
3 you not accepting and going down and starting
4 to work in the crude oil division?

5 A. It was either work in the crude oil division
6 and put myself in harm's way or be unemployed.

7 Q. Did you have to do the crude oil division,
8 could you just stay and keep doing the routes?

9 A. Dispatch is not like that. Dispatch goes
10 anywhere and I am not -- I don't have the
11 upper strength to hook up hundred-foot hoses
12 to unload. Sometimes you'd have to do that,
13 sometimes it would be one -- one hose.

14 Q. Are you talking about the routes that your
15 husband and you were doing now or are you
16 talking about the crude oil routes?

17 A. Both. Both.

18 Q. Okay.

19 A. Because we unloaded chemicals.

20 Q. Would Enterprise let your husband ride along
21 with you even though he wasn't working for the
22 company anymore?

23 A. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. No. Did you explore trying to find a new
2 partner?

3 A. No.

4 Q. How long were you completely out of work
5 before you started working in 2013?

6 A. Till May -- I mean -- yeah, May. When we
7 started the RVs.

8 Q. How were you paying your mortgage and other
9 bills in February and March and April of 2013?

10 A. We pulled out his 401(k).

11 Q. Did you have any savings in a savings account
12 before you pulled out the 401(k)?

13 A. We did.

14 Q. How much was in there before he got
15 terminated?

16 A. I don't remember.

17 Q. Less than \$10,000?

18 A. I don't remember.

19 Q. Less than \$100,000?

20 A. Yes.

21 Q. Less than \$50,000?

22 A. Yes.

23 Q. Okay. Showing you Exhibit 34 again for the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 record, single-page document. Ma'am, in the
2 action history section do you see all those
3 names?

4 A. Right.

5 Q. Do you recognize any of those names?

6 A. Ray Pope, Bill Hall, Mike Stark.

7 Q. Are those people that you interacted with when
8 you were working at Enterprise?

9 A. Ray Pope and I met Mike Stark once.

10 Q. What was Ray Pope's position at Enterprise
11 when you were there?

12 A. He was out of Baytown, Texas. He was the
13 terminal manager.

14 Q. Okay. This Jared Ponder's name is not on the
15 list.

16 A. I see that.

17 Q. Why would that be?

18 A. Because he was the head dispatch of crude oil.

19 Q. He was the one that had offered the crude oil
20 position, right?

21 A. Right. And he worked directly under Mike
22 Stark.

23 Q. But he wouldn't have had a say in how to deal

DEPAOLO-CROSBY REPORTING SERVICES, INC.

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 with your situation?

2 **MR. HOUSH:** Object to form.

3 A. He would.

4 Q. Was Charlie --

5 A. This --

6 Q. Was Charlie Roshtell[sic] was a manager at the
7 Lake Charles terminal?

8 A. Yes.

9 Q. Did you ever interact with him?

10 A. Yes.

11 Q. Okay. Did you have a discussion with him
12 about going down there to work for him?

13 A. Yes.

14 Q. Okay. Was he under the impression that you
15 were going to come down and start working for
16 him?

17 A. Yes.

18 Q. Did you explain to him why you decided to
19 resign and start working for him?

20 A. We had long conversations.

21 Q. Okay. Is he still somebody that you interact
22 with, you know, talk to in some way?

23 A. No.

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. No. When was the last time you spoke to him?

2 A. February of 2013.

3 Q. Okay. Do you know where he works today?

4 A. Do not.

5 Q. Did you hear your husband's testimony
6 yesterday about the crude oil opportunity?

7 Were you here when he was testifying about the
8 possibility that you could move into the crude
9 oil trucking?

10 A. Correct.

11 Q. Okay. Didn't he say yesterday that it wasn't
12 a sure thing, it was just a possibility?

13 A. He's -- I do not know -- I do not know
14 exactly. You'd have to read back the
15 transcript. I don't know exactly what he
16 said, but I do know, yes, it was a
17 possibility.

18 Q. Well, let me ask you this: Was it not a sure
19 thing the two of you as a team, but it became
20 a sure thing after your husband was terminated
21 and the company offered you that option to
22 keep working and make money?

23 A. No, it was a sure thing. We were going down

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 to Corpus Christi.

2 Q. Okay. I have one more thing to go over with
3 you and that's some copies of documents that
4 Enterprise produced for us. They're about the
5 retirement savings account.

6 A. Oh, okay.

7 Q. Your husband had deferred to you on questions
8 about it.

9 A. Sure.

10

11 The following was marked for identification:

12 Exhibit 35 Enterprise 401(k) Plan
13 Retirement Savings Statement

14 **BY MR. BORON:**

15 Q. We're getting fancy here, ma'am. We stapled
16 together multiple statements under one exhibit
17 tab. It's Exhibit Tab 35. These are copies
18 of retirement savings statements that got
19 produced by Enterprise in response to a
20 subpoena that was served by the defense and
21 also -- well, I guess that's what it is,
22 retirement savings statements.

23 A. Okay.

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Okay. So the very top page of Exhibit 35 is
2 retirement savings statement that covers a
3 large period of time, January 1, 2003 through
4 November 2, 2012. Do you see that in the
5 upper right?

6 A. Correct.

7 Q. Yep. And it's ENT 460 is the first page of
8 this exhibit?

9 A. Correct.

10 Q. The ENT numbers to the exhibit they don't go
11 completely consecutively because eventually in
12 the middle of the exhibit you go from the 400s
13 in the numbering process to the 800s. I just
14 want to point that out for the record, but
15 we're on ENT 460 of the exhibit. So this one
16 says Douglas J. Horn. This is a record of
17 your husband's retirement with Enterprise?

18 A. Okay.

19 Q. Have you seen this before?

20 A. No.

21 Q. No, okay. You testified earlier that some
22 years you -- you did not put money into your
23 retirement savings account with Enterprise?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Correct.

2 Q. How many years did that occur where you didn't
3 put any money in?

4 A. Several.

5 Q. Okay. You worked there for 10 years, was it
6 more than half the years that you did not put
7 anything into retirement savings?

8 A. Correct.

9 Q. And would the same be true for your husband?

10 A. Correct.

11 Q. When was the last year that you or your
12 husband put money in the retirement savings
13 before he got terminated?

14 A. I don't remember.

15 Q. Was there money that was put in in 2011?

16 A. I don't remember.

17 Q. What year was it that you were getting that --
18 helping your daughters getting that business
19 going?

20 A. 2008.

21 Q. 2008. So in that year would there still have
22 been retirement savings put into your
23 retirement savings account?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I do not remember.

2 Q. Okay. You see on the first page where it says
3 your personal rate of return and it says this
4 period and there's a number 36.5 percent?

5 A. Right.

6 Q. Do you have any reason to doubt the accuracy
7 of that percentage?

8 A. No.

9 Q. Going to the second page about halfway down
10 the page there are some columns. One column
11 is labelled Enterprise Match?

12 A. Gotcha.

13 Q. In the Enterprise Match column it says
14 20,231.25; is that the amount of money that
15 Enterprise matched in terms of retirement
16 savings that your husband put into this
17 account during this period of time, almost 10
18 years long?

19 A. I don't know.

20 Q. You don't know. Who made the decisions about
21 how the money in the retirement account would
22 be invested?

23 A. I did.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Did your husband contribute to those
2 decisions?

3 A. No.

4 Q. No. Did you ever have a Roth account through
5 the retirement savings program at Enterprise?

6 A. No.

7 Q. So all the money that was put in is pretax
8 dollars going in?

9 A. I believe so.

10 Q. Meaning when it comes out you knew that there
11 would have to be tax on that -- it would have
12 to be reported as income and there would be
13 tax paid on it, correct?

14 A. Correct.

15 Q. Okay. Were you both 100 percent vested at the
16 time of your husband's termination?

17 A. Whatever it says on the account. Whatever it
18 says.

19 Q. Okay. What was your understanding of what it
20 took to be vested of what was in the
21 retirement savings?

22 A. I am not --

23 Q. You don't know?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. No.

2 Q. Okay. Was your husband's retirement savings
3 withdrawn from the Enterprise retirement
4 savings account and rolled over into another
5 IRA or 401(k)?

6 A. No.

7 Q. No. It was cashed out, put directly into a
8 savings account that you had?

9 A. Correct. Correct.

10 Q. Okay. How about you when you resigned from
11 Enterprise, did you also cash out your
12 retirement savings with Enterprise?

13 A. Not at that time.

14 Q. No. What did you do with respect to your
15 retirement savings when you resigned?

16 A. Just left it.

17 Q. You left it for how long?

18 A. Till May of 2014.

19 Q. Okay. And in May of 2014 what did you do?

20 A. Pulled it out.

21 Q. Okay. During the time between when your
22 husband -- no, I'm sorry. Let's say it this
23 way. During the time when you resigned and

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 when you pulled it out in 2014, were you still
2 making decisions about how that money would be
3 invested?

4 A. I just left it where it was.

5 Q. Okay. So you never made any adjustments after
6 that?

7 A. I did not.

8 Q. Okay. Was that by choice or you just forgot
9 to do that?

10 A. Like I said, I'm not financially -- you know,
11 I'm not a guru.

12 Q. Okay.

13 A. I just left it.

14 Q. Did you give it any thought of making changes
15 in the investment structure?

16 A. Not that I know of.

17 Q. Okay. I'm flipping ahead now in the exhibit
18 going up to ENT 465 in the bottom right-hand
19 corner. It's getting toward halfway through
20 the exhibit.

21 A. Okay.

22 Q. Now the period of time is less, all right, if
23 you look in the upper right-hand corner it's

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 from January 1, 2008 to November 2, 2012.

2 A. Right.

3 Q. So for that period of time you see in the
4 personal rate of return section in the middle
5 of the page it's 18.1 percent.

6 A. Okay.

7 Q. Do you have any reason to doubt that that's
8 accurate?

9 A. It's accurate.

10 Q. Okay. Flipping ahead now to those pages
11 towards the end of the exhibit that start with
12 the 881 -- ENT 881.

13 A. Yes.

14 Q. So now we're on a copy of a retirement
15 statement about your retirement savings
16 account, correct?

17 A. Correct.

18 Q. Okay. And it's for the period time January 1,
19 2003 through May 27, 2014, right?

20 A. Correct.

21 Q. Okay. So there is an entry that says
22 transfers in the account summary section,
23 transfers 21,210.44; do you see that?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Yes.

2 Q. What does that represent?

3 A. I have no idea.

4 Q. Did you ever transfer money between your
5 retirement savings account and somebody else's
6 at Enterprise?

7 A. Never.

8 Q. Did you ever transfer money from the -- from
9 one retirement savings account at Enterprise
10 to a different retirement savings account,
11 both of them being in your name?

12 A. No.

13 Q. Did you have one and only one savings account
14 at Enterprise?

15 A. Correct.

16 Q. In 2014 when you made the withdrawal from the
17 retirement savings at Enterprise, what caused
18 you to make that withdrawal? What was your
19 thinking?

20 A. We didn't have a job.

21 MR. MAZZOLA: Repeat the question
22 please. I missed the date.

23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 (Record read back by reporter)

2

3 **BY MR. BORON:**

4 Q. Were you in between jobs because you did work
5 some in 2014, right?

6 A. We were right in between.

7 Q. Mm-hmm. And you took the money out to do what
8 with it?

9 A. Live on it.

10 Q. Okay. Was it rolled over at first into a new
11 IRA or 401(k)?

12 A. No.

13 Q. No. Was it deposited into that same savings
14 account that your husband's had been deposited
15 into?

16 A. Yes.

17 Q. Okay. Is any of that money left today?

18 A. No.

19 Q. And what was it spent on generally, your
20 mortgage and monthly living expenses?

21 A. Correct.

22 Q. Okay. Anything else?

23 A. I don't know.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. Was it spent on the Horn's Transport LLC?

2 A. No.

3 Q. No, money from the retirement saving was spent
4 on the Horn's Transport LLC?

5 A. Not mine.

6 Q. Okay. How about your husband's?

7 A. Yes.

8 Q. Was all of your husband's money spent on the
9 Horn's Transport LLC?

10 A. No.

11 Q. Just part of it?

12 A. Correct.

13 Q. Okay. About how much of it?

14 A. I'm not sure.

15 Q. Okay. Was some of it used to make the down
16 payment on the truck?

17 A. Yes.

18 Q. Yes. What overhead expenses did the Horn's
19 Transport LLC besides --

20 A. Fuel.

21 Q. -- fuel.

22 A. Truck payment.

23 Q. Okay. In the three months --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. Insurance.

2 Q. -- you were operating the truck, did the truck
3 have to be serviced or repaired in any way?

4 A. Tires.

5 Q. Did you put new tires on the truck after you
6 purchased it?

7 A. We did.

8 Q. And did you have to change the tires again
9 before you sold it?

10 A. We did.

11 Q. How many times?

12 A. Twice.

13 Q. Twice. How many times was that truck driven
14 for Horn's Transport LLC?

15 A. I'm not exactly sure.

16 Q. Less than 100,000?

17 A. Yes.

18 Q. Less than 50,000?

19 A. No.

20 Q. Less than 75,000?

21 A. Yes.

22 Q. Okay. I think this may be my last exhibit,
23 folks.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1

2

The following was marked for identification:

3

Exhibit 36 E-mail Exchange dated March
5, 2014

4

5

BY MR. BORON:

6

Q. Okay. We now have in front of you Exhibit 36.

7

Do you recall sending this e-mail to Jeff

8

Benjamin?

9

A. Yes.

10

Q. On March 5th of 2014?

11

A. I recognize the e-mail.

12

Q. Okay. Was this just before the lawsuit was
commenced?

13

14

A. I believe so.

15

Q. All right. And what was your purpose for
providing this information to Mr. Benjamin?

16

17

A. He had asked for financial information that we
had that we can put down on paper.

18

19

Q. Okay. There's something about this e-mail

20

that I find curious. It's from you, right, to
Jeff Benjamin?

21

22

A. Correct.

23

Q. But there's a sentence in here that says the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 company made a special position for Cindy
2 because I was fired. Was your husband typing
3 this, but sending it out through your e-mail?

4 A. Probably.

5 Q. Did you type any of this information up?

6 A. I don't -- I don't remember.

7 Q. Okay. What was the special position that the
8 company made for you because your husband was
9 fired?

10 A. What I told you earlier, going down to Corpus
11 Christi on my own.

12 Q. Okay.

13 A. And Victoria, Texas.

14 Q. Is it accurate what it says the wage then
15 would have been 100,000 to 124,000 a year?

16 A. Correct.

17 Q. Okay. So that's what you -- that's what you
18 decided not to take -- you decided not to take
19 that much, making 100,000 to 124,000 a year?

20 A. I decided not to.

21 Q. Okay. There's also a reference just earlier
22 in that same first paragraph that says, if I
23 would not have been fired we were waiting on

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 the positions in the crude division with
2 another company?

3 A. Correct.

4 Q. It doesn't indicate that you already had the
5 positions?

6 A. It's what I said earlier, we were waiting for
7 February because there were going to be a
8 couple drivers that didn't want to do it
9 anymore. They had given their notice. There
10 are only -- there were only so many positions
11 available and so they had already given their
12 notice so we waited until those positions were
13 available which they were looking at.

14 Q. Okay. Was there also other people in your
15 same boat as you waiting for positions to open
16 up?

17 A. I have no idea.

18 Q. Do you see all these numbers here that are in
19 the middle of the e-mail?

20 A. Correct.

21 Q. Okay. Did you compute all these numbers?
22 Were you the one that came up with these
23 numbers?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I believe James did and we -- we went over
2 together.

3 Q. Now these numbers appear to me to reflect that
4 you would have a 20-year loss of income to
5 arrive at these amounts, correct?

6 A. Correct.

7 Q. Okay. And in the wage column it says -- see
8 where it says 67,000?

9 A. Right.

10 Q. That's based on what you had been making in
11 2011?

12 A. I believe 2000 -- I think '10.

13 Q. Okay. In the 401(k) column it says 78,000; do
14 you see that?

15 A. I do.

16 Q. Is that the balance of the retirement savings
17 account that James had at the time he got
18 terminated?

19 A. You know, I don't really remember. I know
20 when we were putting this together it was
21 pretty much under -- we were working for a
22 company that was pretty stressful.

23 Q. Was there -- is there any -- is there anything

DEPAOLO-CROSBY REPORTING SERVICES, INC.

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 on this page that shows what you believe you
2 were losing on a one-year basis?

3 A. What do you -- rephrase that.

4 Q. Okay. So James gets fired?

5 A. Correct.

6 Q. So he doesn't have a job anymore?

7 A. Correct.

8 Q. So he doesn't have the same wage anymore. Is
9 the 67,000 a reflection of what you believe
10 James is losing because he didn't have a job
11 on an annual basis?

12 A. Correct.

13 Q. And then the 2 percent pension of 1300; is
14 that -- is that the profit sharing?

15 A. I'm not sure. I believe so.

16 Q. The five weeks vacation?

17 A. Correct.

18 Q. It's 1400 a week?

19 A. Correct.

20 Q. Did you have to take five weeks vacation? Was
21 it mandatory?

22 A. No.

23 Q. No, you could take less if you wanted?

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. And they would pay you for the total.

2 Q. Okay. How was the 1400 arrived at?

3 A. No.

4 Q. No. What's the 7 percent match, what does
5 that refer to?

6 A. I guess the 401(k).

7 Q. Okay. So \$9,380 is 7 percent of 78,000?

8 A. I didn't do the math.

9 Q. Okay. Do you know what the \$9,380 refers to?

10 A. No.

11 Q. What does the insurance company debt of
12 \$20,000 refer to?

13 A. I'm not sure.

14 Q. Do you see where it says I borrowed an
15 additional 70,000 to get back into trucking?

16 A. Correct.

17 Q. Is that referring to the start-up for the
18 Horn's Transport LLC?

19 A. That was for the truck alone.

20 Q. Okay. 75 -- I'm sorry, \$70,000 truck loan,
21 correct?

22 A. Correct.

23 Q. And then you continued to use that truck

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 yourselves for a period of time after Horn's
2 Transport LLC wasn't doing any business?

3 A. Correct.

4 Q. How long?

5 A. A few months.

6 Q. When was the truck sold?

7 A. October.

8 Q. Of?

9 A. Last year.

10 Q. Of last year?

11 A. Mm-hmm.

12 Q. Last time Horn's Transport LLC did any
13 business was in 2013, right?

14 A. Correct.

15 Q. So you used it for about three years
16 afterwards?

17 A. Correct, yeah.

18 Q. And that had nothing to do with Horn's
19 Transport LLC or getting back into trucking,
20 correct?

21 A. It got us back and forth to the company we
22 were looking at.

23 Q. Okay. So you didn't have to use a rental car

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 in that time period?

2 A. We did not.

3 Q. Okay. I think that that's it for me. I'll
4 reserve my right to follow-up on any questions
5 that JC has.

6

7 (Recess taken)

8

9 **EXAMINATION BY MR. MAZZOLA:**

10

11 Q. So Mrs. Horn, I just want to follow-up on a
12 couple of items just to clarify. When did
13 you -- after you first learned about the Dixie
14 product in this magazine, I'm looking at
15 Exhibit 25?

16 A. Correct.

17 Q. I think your testimony was that you did
18 additional research on the Internet before the
19 decision to purchase; is that correct?

20 A. Correct.

21 Q. And do you have any specific recollection as
22 to when precisely you did that research?

23 A. I do not.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Okay. And do you have any recollection of
2 what websites you visited precisely before you
3 made the decision to purchase?

4 A. I know one was on the Marijuana, Inc., the
5 MMJ.

6 Q. MMJ?

7 A. Mm-hmm.

8 Q. Okay. Any other websites?

9 A. I went to YouTube.

10 Q. YouTube?

11 A. I did. I watched three videos.

12 Q. How many videos?

13 A. Three.

14 Q. Okay. Do you recall the sum and substance of
15 those videos?

16 A. One was an interview where Tripp was not
17 present, he was like on the telephone, on a
18 speaker, he wasn't in the -- it was with this
19 man who does a radio station.

20 Q. Okay.

21 A. And he talked about the new line of Dixie X,
22 how it was a hemp-based product. The other
23 one was where he actually went in and sat down

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 with everybody at a table like what we are
2 doing and talked about it. The other one -- I
3 don't know if the other one was when he was
4 just -- I believe the other one it was just he
5 was on the radio and they had a YouTube video
6 while he was on the radio.

7 Q. That's not the third one, you said there were
8 three.

9 A. That's okay. There's two.

10 Q. Two with someone on the radio, right?

11 A. There were two on the radio and one when he
12 was actually sitting there.

13 Q. And "he" is Tripp?

14 A. Tripp.

15 Q. Keber?

16 A. Keber, yeah. CEO.

17 Q. Okay. And you said you looked at these videos
18 on the YouTube before you made the decision to
19 purchase?

20 A. I did.

21 Q. Did you view them on your iPad?

22 A. I did.

23 Q. Is it that iPad right there?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 A. No.

2 Q. What iPad was it?

3 A. I have another iPad.

4 Q. Do you still have that iPad?

5 A. I do.

6 Q. Anyone else view those videos with you?

7 A. James.

8 Q. Anyone else?

9 A. No.

10 Q. Can you give me an idea as to, I guess in
11 terms of if you -- let's look at the invoice.
12 Do you have that handy?

13 A. Right there.

14 Q. So if you paid for it on September 19th, 2012?

15 A. Correct.

16 Q. Using that as a reference point, can you give
17 me some idea as to when precisely you watched
18 those videos?

19 A. It was -- I don't know exactly, no.

20 Q. Okay.

21 A. But I do know it was before I bought it.

22 Q. Okay. How many -- can you give me an estimate
23 how many days? Four days? Five days?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 A. I can't. I can't honestly.

2 Q. Okay. Do you recall where you were when you
3 were watching them?

4 A. We were going down the road.

5 Q. Okay.

6 A. But I don't know.

7 Q. Do you know where?

8 A. No.

9 Q. Okay. And if you were driving -- if you were
10 watching, I presume James was driving, right?

11 A. Correct.

12 Q. Okay. So how was he watching them with you?

13 A. Because I would sit -- I don't have to stay in
14 the bunk the whole --

15 Q. Okay. So you're sitting up in the passenger
16 seat?

17 A. Correct.

18 Q. So he's observing and listening?

19 A. He's listening, yeah.

20 Q. Okay. You also said you went to the MMJ
21 website; is that correct?

22 A. Correct, yeah.

23 Q. How did you end up at that website?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 A. Just doing Google searches and it was the
2 website that Tripp said to go to his website
3 to check out his information.

4 Q. And he --

5 A. And I started doing -- I was Googling Dixie X,
6 Dixie X and that type of stuff to see.

7 Q. And you ended up at the MMJ website?

8 A. Correct.

9 Q. Do you know whose website -- who that belongs
10 to?

11 A. Medical Marijuana, Inc.

12 Q. Is that the part of your suite here?

13 A. I believe so.

14 Q. And what did you learn on that website?

15 A. That they were with Red Dice Holdings and that
16 they were an innovator in hemp-based wellness
17 products at that time.

18 Q. And do you have a recollection as to when you
19 went to that MMJ website?

20 A. Around the same time I was doing the videos --
21 watching the videos in the span before I
22 bought the product.

23 Q. In doing your research -- all of your

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 research?

2 A. Okay.

3 Q. So everything you did from after -- you know
4 at any point, did you view anything, any
5 Internet or anything, any articles that said
6 you can take this Elixir and you could then
7 mask a drug test -- a DOT drug test?

8 A. Hemp does not contain THC.

9 Q. Okay.

10 A. Marijuana contains THC, so when I saw hemp and
11 everything contained hemp containing zero
12 percent THC, that's what they check for when
13 they do a drug test.

14 Q. So you just assumed that because people said
15 zero THC?

16 A. Correct.

17 Q. That you would be safe from a drug test?

18 A. Correct.

19 Q. Who told you that's all they test for is THC?

20 A. I do not remember.

21 Q. Did anyone at Medical Marijuana tell you
22 that's all they ever test for is THC?

23 A. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

—CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17—

1 Q. Did anyone at Medical Marijuana ever say if
2 the product doesn't have THC you can use it
3 and beat a DOT drug test?

4 A. Nobody's ever -- I've never read that, no.

5 Q. Nobody's ever read it, nobody's ever said it?

6 MR. HOUSH: Objection. Object to form.

7 Q. Is that correct?

8 A. Correct.

9 Q. Okay. What about Dixie Elixir and Edibles,
10 anybody at Dixie Elixir or Edibles tell you or
11 say that you can take their product and
12 because it has zero THC in it -- those are
13 words, zero THC, that you would be able to
14 beat a DOT drug test?

15 A. It's their words.

16 MR. HOUSH: Objection. Object to form.

17 Q. Okay.

18 A. It's their words. It's written everywhere.

19 Q. Okay. But did anyone ever tell you at Dixie
20 Elixir and Edibles that you can take their
21 product and you can beat a DOT drug test?

22 MR. HOUSH: Object to form.

23 A. I don't know.

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Why don't you know?

2 MR. HOUSH: Object to form.

3 A. I don't know. I don't know if it's there. I
4 don't know.

5 Q. I'm asking you. You should know that. Did
6 anyone say that?

7 MR. HOUSH: Object to form.

8 Q. Did anyone tell you that?

9 MR. HOUSH: Object to form.

10 A. Not in my recollection.

11 Q. Not in your recollection. Did you ever read
12 that anywhere?

13 MR. HOUSH: Object to form.

14 A. No.

15 Q. Okay. What, about same question, Red Dice
16 Holdings, did anyone ever at Red Dice Holdings
17 ever tell you that you can take this product
18 and beat a DOT drug test?

19 MR. HOUSH: Object to form.

20 A. I never asked to beat a DOT drug test.

21 Q. Okay. But did anybody ever tell you that you
22 could?

23 A. No.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Okay. And Dixie Botanicals, same question,
2 did anybody at Dixie Botanicals tell you or
3 write or advise you that you can take their
4 product and you can beat a DOT drug test?

5 A. Not in those words.

6 Q. Okay. What kind of words did they use then?

7 A. I called and told them I was a truck driver
8 and they said that it was a wellness product
9 and that I would be fine and everybody could
10 take it.

11 Q. Okay. Did you tell them you were subject to
12 DOT drug testing?

13 A. I did not.

14 Q. Okay. Did you tell them that you were subject
15 to Schedule I drugs and substances? Did you
16 tell them that?

17 A. I told them that -- I asked if there was zero
18 percent THC.

19 Q. That was your question?

20 A. That was my question.

21 Q. And they said zero percent THC?

22 A. They said zero percent THC.

23 Q. But they didn't tell you that it didn't --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 that it wasn't -- that it didn't -- that it
2 did not contain any cannabinoids; is that
3 correct?

4 A. Correct.

5 Q. They didn't tell you that it didn't contain
6 any cannabinoids; is that correct?

7 A. Correct.

8 Q. They didn't tell you that -- that it was not
9 an extract from one or more cannabinoids that
10 has been derived from any plant with the genus
11 cannabis; did they tell you that?

12 A. No, they said that it was from hemp and that
13 CBD is not illegal. CBD is not THC.

14 Q. Do you know if hemp is from the plant genus
15 cannabis?

16 A. Hemp and marijuana are two separate plants.
17 They are like a sister plant, but they are not
18 the same plant.

19 Q. Do you know if they're from the same genus?

20 **MR. HOUSH:** Object to form.

21 A. Pardon me?

22 Q. Genus, G-E-N-U-S?

23 A. Not offhand.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Same question I asked your husband yesterday.
2 If -- if your livelihood depends on you
3 passing these drug tests, why would you ever
4 buy something that you've learned about from a
5 magazine that's entitled Medical Marijuana
6 High Times?

7 A. It was hemp. Hemp is not the same as
8 marijuana. Hemp does not contain THC. THC is
9 what they test for and it states anywhere that
10 we cannot take marijuana. Marijuana and hemp
11 are not the same. Hemp is legal. You can
12 consume hemp. There are products, I can go to
13 Wegmans and buy and I will not test dirty for
14 a random drug test.

15 Q. Did you discuss that decision with an attorney
16 before you purchased it?

17 A. I did not because I believed on what they
18 said, zero percent THC and it is hemp derived,
19 that is what I believed totally what they
20 said, when I spoke to them on the phone I
21 believed totally what they had said.
22 Everywhere in all their literature that they
23 had marked everybody was talking about this is

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 a zero percent THC supplement and it had high
2 amounts of CBD, which is not illegal.

3 Q. Who told you that?

4 A. CBD is --

5 **MR. HOUSH:** Object to form.

6 A. As far as I knew in 2012 it was not illegal.

7 Q. So back to the question I asked you: Why if
8 your livelihood depended on it would you take
9 a product that you first learned about from a
10 magazine that is -- right across the top High
11 Times Medical Marijuana? That's the question.

12 **MR. HOUSH:** Object to form.

13 A. There's nothing wrong with that magazine.

14 Q. And I'm not sure if Eric asked you this
15 question. When was the last time you smoked
16 marijuana?

17 A. No.

18 Q. Or have you smoked marijuana?

19 A. Never.

20 Q. Never?

21 A. Never in my life.

22 Q. Have you ever used intravenous drugs?

23 A. Never in my life.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Have you ever been in the presence of someone
2 using -- smoking marijuana?

3 A. Never.

4 Q. Have you ever been in the presence of someone
5 vaping?

6 A. Never.

7 Q. Have you ever been in the presence of somebody
8 eating a marijuana infused food brownie or
9 sorts?

10 A. Never.

11 Q. Have you ever eaten a marijuana infused
12 product?

13 A. Never.

14 Q. What do you understand about the relationship
15 between the various parties that you're suing,
16 Medical Marijuana, Dixie Elixir, Red Dice and
17 Dixie Botanicals?

18 A. Today I couldn't tell you.

19 Q. You couldn't tell me today?

20 A. No.

21 Q. Okay. Were you ever able -- would you have
22 ever been able to tell me?

23 A. In 2012 when I was doing the research.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. MAZZOLA - 05/09/17

1 Q. Okay. And what did that research lead you to
2 believe in 2012?

3 MR. HOUSH: Object to form.

4 A. I'm not sure.

5 Q. Okay. You were asked a question a little bit
6 earlier from Mr. Boron about that and I think
7 you answered that you thought they might be
8 one in the same; is that what you said?

9 A. I'm not sure.

10 Q. Along those lines?

11 A. Correct.

12 Q. Okay. But you can't expand on that?

13 MR. HOUSH: Object to form.

14 A. I don't want to be wrong. I don't want to
15 tell you information that's not correct. I do
16 remember reading something to the effect that
17 Marijuana, Inc. Bought Red Dice Holdings and
18 also the Dixie brand, so off the top of my
19 head that's what I remember, today I would
20 have to refamiliar myself with the documents
21 that I read.

22 Q. Okay. I'm done.

23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

FURTHER EXAMINATION BY MR. BORON:

Q. Just a quick follow-up on something. Remember when you were telling me about the Nutiva product?

A. Right.

Q. So you're in the store and you see it?

A. Correct.

Q. Pick it up, holding the product and you're looking at the car -- or can and it's got some labelling on it. You're reading that, right?

A. Right.

Q. And that prompts you to make a phone call that's listed on that label to get more information about that product?

A. Correct.

Q. Why is it that you made that phone call?

A. Just to talk to them about hemp.

Q. Okay. And you talked for a few minutes with somebody, a customer service rep --

A. Correct.

Q. -- and got a few things answered and --

A. Correct.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 Q. -- you decided to go ahead and buy the
2 product --

3 A. I did.

4 Q. -- and then started consuming it?

5 A. Correct.

6 Q. All right. Now this time around a couple
7 years later you see the -- the ad in the High
8 Times magazine and it says zero percent THC in
9 the product that you're interested in, right?

10 A. Correct.

11 Q. So you make a phone call to the Dixie people
12 on -- and get answers on the phone?

13 A. Correct.

14 Q. That wasn't sufficient, though? That didn't
15 answer all your questions?

16 A. It did, but I did want to look at a few other
17 things.

18 Q. Did you feel like you were not getting
19 straight answers from the person on the phone
20 at Dixie when you were talking to them?

21 A. I don't remember why.

22 Q. Why would you keep doing such extensive
23 research? You spent hours and hours and hours

DEPAOLO-CROSBY REPORTING SERVICES, INC.

—CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17—

1 doing further research when you didn't do that
2 for the Nutiva product?

3 A. Because it was over the Internet.

4 Q. What do you mean it was over the Internet?

5 A. I bought it over -- I was looking at an
6 Internet page instead of holding the product
7 in my hand at a grocery store.

8 Q. Okay. So then finally when the product does
9 arrive, did you read the label?

10 A. I didn't.

11 Q. You didn't. You just let your husband start
12 taking the product without reading what the
13 product said?

14 **MR. HOUSH:** Object to form.

15 A. I don't remember.

16 Q. Did you read the label before your husband
17 began to take the product?

18 A. I did not.

19 Q. Did you read the label before you took the
20 product?

21 **MR. HOUSH:** Object to form.

22 A. I don't remember.

23 Q. You don't recall?

—DEPAOLO-CROSBY REPORTING SERVICES, INC.—

CINDY SUE HARP-HORN - BY MR. BORON - 05/09/17

1 A. I don't.

2 MR. BORON: I think that's all I have.

3 MR. HOUSH: Okay.

4

5 (Deposition concluded at 2:28 p.m.)

6 * * * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

1 STATE OF NEW YORK)

2) ss.

3 COUNTY OF ERIE)

4
5 I, MARISSA A. ASHCROFT, Notary Public, in and
6 for the County of Erie, State of New York, do
7 hereby certify:

8 That the witness whose testimony appears
9 hereinbefore was, before the commencement of
10 their testimony, duly sworn to testify the
11 truth, the whole truth and nothing but the
12 truth; that said testimony was taken pursuant
13 to notice at the time and place as herein set
14 forth; that said testimony was taken down by
15 me and thereafter transcribed into
16 typewriting, and I hereby certify the
17 foregoing testimony is a full, true and
18 correct transcription of my shorthand notes so
19 taken.

20
21 I further certify that I am neither counsel
22 for nor related to any party to said action,
23 nor in anyway interested in the outcome
thereof.

24
25 IN WITNESS WHEREOF, I have hereunto
26 subscribed my name and affixed my seal this
27 9th day of May, 2017.

28
29 

30 -----
31 MARISSA A. ASHCROFT, Notary Public

32
33 **DEPAOLO-CROSBY REPORTING SERVICES, INC.**

170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

\$	195 [1] - 4:2 1986 [2] - 33:7, 33:11 1989 [1] - 7:6 1990 [4] - 6:4, 7:7, 8:19, 28:10 1990s [1] - 28:18 1998 [1] - 7:15 1999 [4] - 7:15, 9:11, 9:16 19th [1] - 135:14 1st [2] - 13:19, 102:20	2015 [1] - 31:12 2016 [1] - 20:11 2017 [2] - 1:14, 151:19 21,210.44 [1] - 120:23 24 [12] - 10:1, 67:15, 67:18, 67:22, 68:8, 73:23, 75:10, 75:19, 75:22, 83:16, 86:12, 87:19 240 [1] - 16:13 25 [2] - 106:6, 132:15 26 [1] - 3:6 27 [2] - 81:4, 120:19 2:28 [1] - 150:5	50,000 [1] - 124:18 500 [1] - 98:23 583 [1] - 100:18 5th [1] - 125:10	55:19 accidental [2] - 22:19, 23:10 according [1] - 75:15 account [29] - 23:17, 37:20, 39:20, 40:19, 41:1, 41:3, 41:5, 41:8, 41:18, 41:23, 69:2, 109:11, 113:5, 114:23, 115:23, 116:17, 116:21, 117:4, 117:17, 118:4, 118:8, 120:16, 120:22, 121:5, 121:9, 121:10, 121:13, 122:14, 128:17 accuracy [1] - 116:6 accurate [8] - 8:5, 8:9, 97:12, 102:10, 102:18, 120:8, 120:9, 126:14 Action [4] - 1:6, 3:9, 98:14, 100:17 action [2] - 110:2, 151:15 actions [1] - 102:4 active [1] - 8:21 actively [1] - 8:10 actual [2] - 58:7, 73:19 ad [1] - 148:7 add [2] - 19:19, 22:3 added [2] - 22:4, 97:19 addition [1] - 63:4 additional [2] - 130:15, 132:18 address [1] - 6:18 adjustments [1] - 119:5 admitted [1] - 11:9 Advil [4] - 28:22, 29:20, 30:5, 30:16 advise [1] - 141:3 affixed [1] - 151:18 afterwards [2] - 29:3, 131:16 ago [5] - 31:11, 40:7, 43:3, 85:14, 86:4 agreed [2] - 53:15, 97:9 ahead [5] - 106:11, 107:1, 119:17, 120:10, 148:1 alive [2] - 6:9, 86:17 allergic [3] - 30:2, 34:6, 34:15 allotted [1] - 19:12 allow [3] - 5:9, 16:12, 89:16
,	2	3	6	
'10 [2] - 48:11, 128:12 '11 [1] - 48:11	2 [4] - 65:19, 114:4, 120:1, 129:13 2,000 [1] - 107:5 20,231.25 [1] - 116:14 20-year [1] - 128:4 2000 [3] - 29:7, 48:10, 128:12 2003 [2] - 114:3, 120:19 2005 [2] - 29:8, 30:16 2006 [2] - 29:8, 30:16 2008 [3] - 115:20, 115:21, 120:1 2010 [3] - 49:3, 52:17, 76:6 2011 [7] - 31:16, 49:8, 49:9, 51:9, 79:3, 115:15, 128:11 2012 [54] - 10:1, 12:5, 12:20, 13:15, 13:21, 14:13, 17:13, 17:22, 18:2, 18:5, 18:13, 18:14, 31:5, 34:19, 35:22, 36:23, 37:4, 37:18, 38:3, 39:15, 39:23, 40:3, 40:11, 40:16, 40:20, 40:23, 41:12, 41:15, 42:4, 42:9, 42:19, 43:14, 43:15, 44:2, 45:9, 46:9, 47:11, 47:18, 48:1, 49:15, 52:5, 54:1, 63:3, 68:1, 68:7, 75:2, 89:12, 101:14, 114:4, 120:1, 135:14, 144:6, 145:23, 146:2 2013 [8] - 8:13, 31:15, 102:20, 108:2, 109:5, 109:9, 112:2, 131:13 2014 [12] - 8:16, 8:19, 93:4, 94:7, 118:18, 118:19, 119:1, 120:19, 121:16, 122:5, 125:3, 125:10	3 [2] - 34:3, 43:8 3/5/2014 [1] - 3:14 31 [5] - 3:6, 26:19, 26:23, 27:1, 33:22 32 [3] - 3:8, 44:18, 44:22 321-8022 [1] - 89:11 33 [3] - 3:9, 98:14, 100:14 34 [3] - 3:10, 98:15, 109:23 35 [4] - 3:12, 113:12, 113:17, 114:1 36 [7] - 3:14, 67:16, 67:19, 67:22, 68:8, 125:3, 125:6 36.5 [1] - 116:4 362-1128 [1] - 2:5	607 [1] - 89:11 646 [1] - 2:15 663-1860 [1] - 2:15 67,000 [2] - 128:8, 129:9	7
1		4	7 [3] - 65:11, 130:4, 130:7 7,000 [1] - 20:3 70 [1] - 2:4 70,000 [1] - 130:15 716 [2] - 2:5, 2:10 75 [1] - 130:20 75,000 [1] - 124:20 78,000 [2] - 128:13, 130:7	
1 [4] - 65:16, 114:3, 120:1, 120:18 1-800 [3] - 76:16, 78:14, 88:23 10 [7] - 12:1, 16:19, 25:6, 28:16, 32:2, 115:5, 116:17 100 [3] - 72:13, 82:23, 117:15 100,000 [3] - 124:16, 126:15, 126:19 10022 [1] - 2:15 10662 [1] - 104:14 10:56 [1] - 1:14 113 [1] - 3:12 12 [6] - 19:22, 19:23, 20:5, 65:3 124,000 [2] - 126:15, 126:19 125 [1] - 3:14 1300 [1] - 129:13 132 [1] - 3:3 14 [2] - 1:13, 2:9 1400 [2] - 129:18, 130:2 14202 [1] - 2:4 14203 [1] - 2:9 147 [1] - 3:2 14859 [1] - 4:2 15-cv-701-FPG [1] - 1:6 15th [1] - 17:23 16 [1] - 101:14 17C [1] - 38:17 17th [2] - 81:15, 81:16 18.1 [1] - 120:5 18th [1] - 2:14		5	8	
		4 [1] - 3:2 40 [1] - 20:8 400s [1] - 114:12 401(k) [10] - 3:12, 25:17, 25:20, 26:1, 26:10, 109:12, 113:12, 118:5, 122:11, 128:13 401(k) [6] - 24:14, 24:17, 24:19, 25:11, 109:10, 130:6 42 [7] - 73:15, 74:2, 74:4, 83:15, 86:11, 87:18, 92:17 44 [1] - 3:8 460 [2] - 114:7, 114:15 465 [1] - 119:18 4th [1] - 12:19	800s [1] - 114:13 805 [1] - 2:14 82 [1] - 87:15 855-2800 [1] - 2:10 881 [2] - 120:12 8th [1] - 45:9	9
		5	91 [1] - 6:16 930 [2] - 1:13, 2:8 932 [1] - 6:16 98 [2] - 3:9, 3:10 9th [2] - 1:14, 151:19	
			A	
		5 [1] - 125:3	a.m [1] - 1:15 able [7] - 14:19, 23:16, 29:6, 51:23, 139:13, 145:21, 145:22 absolute [1] - 65:7 absolutely [1] - 65:3 accent [2] - 91:21, 91:22 accept [2] - 106:10, 107:9 accepting [1] - 108:3 access [2] - 42:11, 67:21 accessed [1] - 58:20 accident [2] - 11:6,	

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>allowed [2] - 15:14, 16:11</p> <p>almond [3] - 49:8, 49:18, 49:21</p> <p>almonds [3] - 49:16, 49:18</p> <p>almost [1] - 116:17</p> <p>alone [1] - 130:19</p> <p>ALSO [1] - 2:17</p> <p>America [4] - 40:18, 40:20, 40:23, 41:10</p> <p>amount [2] - 25:12, 116:14</p> <p>amounts [3] - 19:3, 128:5, 144:2</p> <p>AND [2] - 1:7, 2:11</p> <p>annual [5] - 30:23, 31:4, 31:7, 31:14, 129:11</p> <p>answer [4] - 5:11, 83:21, 95:2, 148:15</p> <p>answered [2] - 146:7, 147:22</p> <p>answering [1] - 59:15</p> <p>answers [2] - 148:12, 148:19</p> <p>anyway [1] - 151:16</p> <p>appear [1] - 128:3</p> <p>appeared [2] - 5:2, 92:10</p> <p>APPEARING [3] - 2:2, 2:6, 2:11</p> <p>apple [1] - 93:5</p> <p>appointment [1] - 29:12</p> <p>appointments [1] - 14:12</p> <p>April [3] - 13:21, 14:13, 109:9</p> <p>archives [1] - 43:20</p> <p>area [1] - 10:11</p> <p>argument [1] - 17:2</p> <p>arm [4] - 10:10, 10:19, 10:22, 12:3</p> <p>arrive [4] - 82:2, 82:7, 128:5, 149:9</p> <p>arrived [3] - 82:5, 82:8, 130:2</p> <p>article [14] - 60:5, 60:6, 74:9, 74:10, 74:14, 74:17, 83:16, 84:7, 84:11, 84:12, 84:21, 86:2, 86:11, 92:10</p> <p>articles [5] - 75:6, 85:2, 85:21, 88:7, 138:5</p> <p>as-needed [1] - 34:4</p> <p>ASHCROFT [2] - 151:5, 151:22</p>	<p>Ashcroft [1] - 1:12</p> <p>Askey [2] - 32:4, 33:3</p> <p>asleep [2] - 10:6, 10:8</p> <p>aspirin [1] - 30:5</p> <p>assist [2] - 52:8, 52:10</p> <p>assumed [1] - 138:14</p> <p>ATM [3] - 41:16, 42:12, 67:21</p> <p>attention [1] - 83:15</p> <p>attorney [3] - 4:8, 89:21, 143:15</p> <p>audio [1] - 61:20</p> <p>August [3] - 8:12, 8:13, 35:16</p> <p>authorization [1] - 89:16</p> <p>authorize [1] - 81:19</p> <p>automatic [1] - 25:19</p> <p>available [3] - 23:21, 127:11, 127:13</p> <p>Avenel [10] - 70:10, 70:18, 70:23, 71:13, 71:18, 72:4, 72:7, 101:20, 102:1, 106:20</p> <p>Avenue [1] - 2:14</p> <p>average [2] - 19:17, 19:18</p> <p>awake [1] - 10:6</p> <p>aware [3] - 8:18, 66:12, 85:23</p>	<p>bathroom [1] - 34:12</p> <p>Baytown [9] - 70:10, 70:11, 70:13, 70:15, 70:17, 71:3, 71:5, 72:7, 110:12</p> <p>beat [6] - 139:3, 139:14, 139:21, 140:18, 140:20, 141:4</p> <p>beaten [1] - 86:19</p> <p>became [2] - 7:6, 112:19</p> <p>bed [1] - 23:2</p> <p>beef [1] - 30:7</p> <p>began [4] - 9:10, 76:5, 107:2, 149:17</p> <p>begin [2] - 5:11, 49:1</p> <p>belongs [1] - 137:9</p> <p>benefit [3] - 83:20, 84:1</p> <p>benefits [1] - 24:16</p> <p>Benjamin [4] - 59:6, 125:8, 125:16, 125:21</p> <p>best [1] - 39:3</p> <p>Bethesda [1] - 93:12</p> <p>better [2] - 42:6, 53:16</p> <p>between [6] - 104:10, 118:21, 121:4, 122:4, 122:6, 145:15</p> <p>beverages [1] - 64:5</p> <p>bi [1] - 31:14</p> <p>bi-annual [1] - 31:14</p> <p>big [1] - 30:4</p> <p>Bill [1] - 110:6</p> <p>bill [3] - 17:15, 63:18, 81:8</p> <p>billing [3] - 69:6, 69:7, 69:9</p> <p>bills [2] - 82:16, 109:9</p> <p>Binghamton [1] - 50:12</p> <p>biological [2] - 9:7, 9:8</p> <p>birth [2] - 33:6, 33:8</p> <p>bit [3] - 17:2, 74:7, 146:5</p> <p>block [1] - 16:16</p> <p>blocked [1] - 70:3</p> <p>blood [8] - 30:20, 32:9, 32:11, 32:16, 32:17, 32:22, 33:7, 33:13</p> <p>boarder [1] - 106:22</p> <p>boat [1] - 127:15</p> <p>bodies [2] - 85:5, 86:9</p> <p>body [3] - 51:23, 84:9, 85:6</p> <p>bonus [5] - 21:2, 21:5, 21:6, 21:7, 21:11</p>	<p>book [7] - 37:16, 61:5, 62:17, 63:1, 63:3, 74:18, 74:21</p> <p>books [8] - 61:11, 62:18, 63:8, 63:9, 63:10, 63:11</p> <p>bookstore [4] - 44:4, 60:22, 61:6, 61:7</p> <p>border [2] - 72:16, 72:17</p> <p>boron [1] - 146:6</p> <p>BORON [16] - 2:8, 4:6, 13:2, 26:21, 44:20, 62:3, 73:19, 73:21, 79:19, 94:19, 98:17, 113:14, 122:3, 125:5, 147:1, 150:2</p> <p>Boron [2] - 3:2, 4:8</p> <p>borrowed [1] - 130:14</p> <p>BOTANICALS [2] - 1:8, 2:11</p> <p>Botanicals [3] - 141:1, 141:2, 145:17</p> <p>bother [1] - 35:1</p> <p>bottle [9] - 54:4, 97:14, 98:22, 99:2, 99:4, 99:7, 99:13, 99:15, 99:18</p> <p>bottom [5] - 59:10, 59:20, 59:23, 100:18, 119:18</p> <p>bought [10] - 51:1, 62:1, 63:22, 79:22, 93:8, 99:14, 135:21, 137:22, 146:17, 149:5</p> <p>box [4] - 82:7, 101:1, 101:4, 101:6</p> <p>branch [3] - 38:15, 38:21, 38:23</p> <p>brand [9] - 51:1, 61:10, 75:4, 78:21, 78:22, 78:23, 79:1, 93:21, 146:18</p> <p>break [1] - 94:20</p> <p>breast [1] - 86:19</p> <p>bring [5] - 58:18, 82:13, 82:20, 83:1, 95:6</p> <p>Broome [1] - 38:12</p> <p>brought [4] - 59:1, 79:3, 82:11, 82:17</p> <p>brownie [1] - 145:8</p> <p>brownies [1] - 48:22</p> <p>browse [1] - 63:6</p> <p>browsed [1] - 63:8</p> <p>browsing [1] - 63:9</p> <p>Bruce [1] - 32:4</p> <p>Buffalo [3] - 1:14, 2:4, 2:9</p>	<p>Building [2] - 1:13, 2:8</p> <p>bunch [1] - 62:22</p> <p>bunk [3] - 10:5, 10:11, 136:14</p> <p>burning [1] - 29:14</p> <p>business [9] - 8:7, 8:10, 8:15, 9:20, 96:19, 96:23, 115:18, 131:2, 131:13</p> <p>buy [10] - 49:7, 49:21, 54:11, 54:14, 62:2, 64:1, 143:4, 143:13, 148:1</p> <p>buying [3] - 51:3, 64:12, 93:20</p> <p>buyout [2] - 102:5, 102:8</p> <p>BY [17] - 2:3, 2:8, 2:13, 4:6, 13:2, 26:21, 44:20, 62:3, 73:21, 79:19, 94:19, 98:17, 113:14, 122:3, 125:5, 132:9, 147:1</p>
C				
<p>C-section [2] - 33:9, 33:15</p> <p>cab [1] - 55:20</p> <p>calendar [6] - 8:16, 25:14, 37:3, 37:8, 37:15, 37:16</p> <p>California [8] - 6:14, 7:9, 22:15, 28:11, 33:16, 49:17, 86:15</p> <p>cancer [8] - 84:14, 84:22, 84:23, 85:4, 86:16, 86:19, 86:22, 87:3</p> <p>cannabinoids [3] - 142:2, 142:6, 142:9</p> <p>cannabis [5] - 47:12, 47:21, 48:3, 142:11, 142:15</p> <p>Cannabis [3] - 3:8, 44:18, 45:10</p> <p>cannot [4] - 59:9, 59:13, 78:21, 143:10</p> <p>car [4] - 14:20, 15:5, 131:23, 147:10</p> <p>card [11] - 22:17, 39:11, 40:22, 41:10, 41:16, 42:11, 42:14, 42:16, 69:4, 69:9, 80:10</p> <p>Card [5] - 39:22, 40:2, 40:6, 40:9, 40:15</p> <p>cards [2] - 39:13, 39:15</p>				

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

care [2] - 11:17, 11:23
careful [1] - 30:6
case [1] - 59:15
cash [4] - 42:12,
 49:17, 67:21, 118:11
cash [1] - 118:7
caught [1] - 35:7
caused [1] - 121:17
CBD [23] - 83:19, 85:3,
 85:4, 85:5, 85:7,
 85:8, 85:9, 85:11,
 85:12, 85:16, 85:19,
 85:22, 85:23, 86:4,
 86:9, 142:13, 144:2,
 144:4
CDs [5] - 61:14, 61:16,
 61:19, 61:20, 61:21
cell [3] - 79:23, 89:8,
 89:9
cellphone [3] - 89:17,
 89:19, 89:23
central [2] - 103:5,
 104:5
CEO [1] - 134:16
certain [8] - 5:17,
 28:19, 60:10, 60:13,
 65:3, 65:16, 65:19,
 65:21
certify [3] - 151:6,
 151:12, 151:15
change [1] - 124:8
changed [1] - 102:6
changes [2] - 57:16,
 119:14
changing [1] - 106:18
charge [1] - 43:8
Charles [3] - 106:18,
 106:21, 111:7
Charlie [2] - 111:4,
 111:6
check [6] - 18:19,
 18:22, 20:21, 30:20,
 137:3, 138:12
checked [2] - 101:2,
 101:6
checking [4] - 40:19,
 41:17, 41:22, 42:11
checks [1] - 19:20
chemical [3] - 98:21,
 99:2, 103:7
chemicals [1] - 108:19
chemotherapy [1] -
 87:16
CHERIS [1] - 68:22
Chesapeake [1] -
 106:7
child [1] - 33:7
children [1] - 9:6
children's [1] - 63:10
Chili's [1] - 60:19

Choi [16] - 11:21,
 11:22, 12:2, 12:5,
 12:13, 29:21, 29:22,
 31:2, 31:5, 32:21,
 33:4, 52:8, 52:13,
 52:18, 52:19, 52:21
choice [1] - 119:8
Christi [6] - 103:1,
 103:13, 104:18,
 107:15, 113:1,
 126:11
Christmastime [1] -
 17:1
chronic [6] - 27:13,
 27:20, 28:3, 28:6,
 28:9, 28:13
Cindy [7] - 3:2, 3:7,
 3:11, 26:19, 46:8,
 98:15, 126:1
CINDY [2] - 1:4, 1:10
cinnamon [1] - 57:3
Civil [1] - 1:6
claimed [2] - 58:4,
 91:10
claims [1] - 58:3
clarify [2] - 14:16,
 132:12
CLAUDE [1] - 2:13
clean [1] - 17:15
clear [2] - 54:1, 64:19
close [1] - 39:6
closed [1] - 9:2
cloud [1] - 93:19
code [1] - 6:15
codeine [1] - 53:13
coffee [9] - 61:1, 61:6,
 61:9, 61:13, 62:4,
 62:7, 62:21, 63:22,
 64:1
coincided [2] - 14:12,
 18:7
cold [2] - 28:22, 28:23
collecting [2] - 15:18,
 30:8
column [4] - 116:10,
 116:13, 128:7,
 128:13
columns [1] - 116:10
coming [4] - 69:23,
 70:18, 71:7, 85:2
commenced [1] -
 125:13
commencement [1] -
 151:8
comment [2] - 102:16,
 102:19
comments [1] - 102:4
communicate [3] -
 100:2, 100:4, 100:10
communicating [2] -

58:14, 100:7
communications [1] -
 104:10
Comp [3] - 12:10,
 17:16, 35:13
companies [2] -
 76:10, 96:23
Company [1] - 69:8
company [22] - 15:13,
 22:2, 23:6, 24:15,
 51:8, 68:21, 68:23,
 69:2, 69:3, 69:4,
 69:21, 69:22, 88:18,
 89:2, 108:22,
 112:21, 126:1,
 126:8, 127:2,
 128:22, 130:11,
 131:21
compared [1] - 21:20
completely [3] -
 106:1, 109:4, 114:11
compute [1] - 127:21
concluded [1] - 150:5
confirmed [2] - 77:13,
 91:11
confusing [2] - 20:17,
 20:22
consecutively [1] -
 114:11
consist [1] - 13:4
consult [1] - 52:13
consulted [2] - 52:17,
 52:21
consulting [1] - 52:19
consume [9] - 48:15,
 48:20, 49:2, 56:17,
 57:13, 86:21, 87:1,
 87:5, 143:12
consumed [1] - 87:22
consumer [2] - 77:1,
 96:14
consuming [7] - 49:4,
 49:6, 49:12, 49:14,
 50:13, 52:13, 148:4
consumption [2] -
 62:5, 62:6
contact [3] - 43:9,
 47:6, 86:10
contain [4] - 138:8,
 142:2, 142:5, 143:8
contained [3] - 76:18,
 76:23, 138:11
container [4] - 56:7,
 77:14, 77:15, 77:16
containing [1] -
 138:11
contains [2] - 77:2,
 138:10
content [1] - 45:18
context [2] - 74:8,

74:13
continue [2] - 34:3,
 94:21
continued [1] - 130:23
contract [1] - 106:6
contracted [1] - 33:10
contradiction [1] -
 45:14
contribute [1] - 117:1
control [1] - 72:1
conversation [6] -
 77:6, 87:12, 87:13,
 90:15, 91:4, 94:10
conversations [2] -
 104:9, 111:20
cookies [1] - 48:22
cooking [2] - 63:10,
 75:11
copies [4] - 36:8, 40:3,
 113:3, 113:17
copy [2] - 87:18,
 120:14
Coraopolis [1] -
 105:16
corner [7] - 59:11,
 59:21, 59:23,
 100:18, 101:1,
 119:19, 119:23
corporate [2] - 36:18,
 69:9
Corpus [6] - 103:1,
 103:12, 104:17,
 107:15, 113:1,
 126:10
correct [200] - 4:9,
 7:19, 8:2, 8:4, 8:8,
 8:12, 8:14, 9:9, 9:13,
 12:11, 12:14, 12:21,
 14:1, 14:7, 14:14,
 14:15, 14:17, 14:18,
 14:21, 14:23, 15:21,
 16:1, 17:18, 17:20,
 17:21, 18:9, 18:11,
 19:5, 19:7, 20:12,
 25:22, 26:2, 26:4,
 27:18, 28:2, 29:23,
 31:3, 31:13, 31:16,
 32:10, 32:19, 32:20,
 33:12, 33:17, 33:20,
 34:5, 35:13, 35:14,
 35:17, 36:1, 36:4,
 36:6, 36:12, 36:13,
 37:2, 38:4, 38:8,
 38:10, 39:21, 41:19,
 41:21, 42:1, 42:3,
 42:13, 42:17, 42:22,
 43:1, 43:4, 46:10,
 46:16, 47:13, 48:16,
 48:18, 50:18, 50:22,
 54:6, 54:19, 55:9,

55:17, 56:4, 56:8,
 56:10, 56:12, 56:15,
 56:18, 57:1, 58:11,
 58:13, 58:17, 61:20,
 63:5, 63:14, 65:15,
 66:1, 66:9, 67:7,
 67:8, 68:5, 70:7,
 70:14, 71:1, 73:13,
 76:7, 76:16, 76:21,
 77:5, 78:9, 79:2,
 80:1, 80:6, 80:9,
 80:15, 80:17, 81:10,
 86:18, 88:17, 94:22,
 96:12, 96:20, 97:16,
 97:18, 99:12, 99:16,
 99:18, 100:12,
 100:20, 100:22,
 100:23, 101:3,
 101:7, 101:10,
 101:13, 101:15,
 102:2, 102:7, 106:5,
 106:6, 106:23,
 107:22, 112:10,
 114:6, 114:9, 115:1,
 115:8, 115:10,
 117:13, 117:14,
 118:9, 120:16,
 120:17, 120:20,
 121:15, 122:21,
 123:12, 125:22,
 126:16, 127:3,
 127:20, 128:5,
 128:6, 129:5, 129:7,
 129:12, 129:17,
 129:19, 130:16,
 130:21, 130:22,
 131:3, 131:14,
 131:17, 131:20,
 132:16, 132:19,
 132:20, 135:15,
 136:11, 136:17,
 136:21, 136:22,
 137:8, 138:16,
 138:18, 139:7,
 139:8, 142:3, 142:4,
 142:6, 142:7,
 146:11, 146:15,
 147:8, 147:16,
 147:21, 147:23,
 148:5, 148:10,
 148:13, 151:13
correctly [1] - 79:20
counsel [1] - 151:15
counter [3] - 28:20,
 34:17, 64:19
COUNTY [1] - 151:3
County [3] - 38:12,
 38:13, 151:6
couple [7] - 16:10,
 34:13, 56:13, 74:5,

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>127:8, 132:12, 148:6 course [1] - 5:21 court [1] - 47:3 COURT [1] - 1:1 courtroom [1] - 5:2 cover [1] - 23:1 coverage [1] - 23:4 covers [1] - 114:2 CPA [2] - 8:22, 44:9 crashed [2] - 93:8, 93:11 credit [11] - 22:17, 39:9, 39:11, 39:13, 39:15, 40:22, 41:10, 42:16, 69:4, 69:9, 80:10 Credit [4] - 38:6, 38:7, 41:15, 42:19 cricket [1] - 14:4 crop [1] - 49:17 Cross [1] - 48:6 crude [18] - 103:8, 103:9, 103:15, 104:12, 104:15, 104:22, 105:6, 105:18, 105:19, 108:4, 108:5, 108:7, 108:16, 110:18, 110:19, 112:6, 112:8, 127:1 cupboard [2] - 97:15, 97:17 curious [1] - 125:20 customer [5] - 76:19, 90:23, 91:1, 94:10, 147:20</p>	<p>74:15 dead [1] - 48:4 Dead [2] - 48:6, 48:14 deal [1] - 110:23 dealing [1] - 28:5 death [2] - 22:20, 23:10 deaths [1] - 45:6 debit [2] - 41:16, 42:10 debt [1] - 130:11 December [1] - 18:7 decided [7] - 106:3, 107:12, 111:18, 126:18, 126:20, 148:1 decision [6] - 97:6, 101:11, 132:19, 133:3, 134:18, 143:15 decisions [3] - 116:20, 117:2, 119:2 deduction [2] - 8:18, 44:11 DEFENDANT [2] - 2:6, 2:11 defendants [3] - 95:13, 95:21, 96:19 Defendants [1] - 1:9 defense [1] - 113:20 deferred [2] - 5:15, 113:7 definite [2] - 105:7, 105:9 definitely [2] - 34:15, 72:21 defraud [1] - 95:14 delivered [1] - 70:22 delivering [1] - 70:20 department [2] - 11:7, 11:11 depended [1] - 144:8 deposed [1] - 4:20 deposit [2] - 25:19, 25:23 deposited [2] - 122:13, 122:14 depositing [1] - 25:16 Deposition [1] - 150:5 deposition [6] - 4:10, 26:23, 44:22, 73:23, 81:4, 100:14 deposits [2] - 26:10, 37:21 depreciation [1] - 8:18 depth [1] - 84:20 derivative [1] - 53:12 derived [2] - 142:10, 143:18 describe [1] - 83:17</p>	<p>described [6] - 8:9, 30:15, 74:23, 75:7, 85:17, 94:7 describing [2] - 22:19, 48:12 DESCRIPTION [1] - 3:5 despite [1] - 18:17 device [2] - 93:16, 93:17 dew [2] - 92:8, 92:18 diagnosed [4] - 28:8, 32:1, 32:3, 32:9 diagnosis [1] - 86:17 Dianne [1] - 7:2 Dice [6] - 96:2, 137:15, 140:15, 140:16, 145:16, 146:17 DICE [2] - 1:7, 2:6 died [2] - 22:14, 33:8 diet [5] - 52:4, 52:11, 52:15, 52:18, 63:10 dietary [1] - 52:8 dieting [1] - 52:20 difference [1] - 21:18 different [11] - 20:6, 47:22, 53:18, 64:2, 78:6, 81:20, 84:23, 85:21, 87:6, 87:14, 121:10 dig [1] - 43:19 dip [1] - 35:8 direct [2] - 69:6, 69:7 directing [1] - 83:15 directly [3] - 71:18, 110:21, 118:7 dirty [6] - 54:22, 59:8, 73:12, 98:20, 101:18, 143:13 disability [1] - 23:6 discover [1] - 39:19 Discover [6] - 39:20, 39:22, 40:2, 40:5, 40:8, 40:15 discuss [5] - 66:10, 89:20, 89:21, 97:2, 143:15 discussed [2] - 53:14, 97:5 discussing [1] - 15:19 discussion [1] - 111:11 Discussion [2] - 12:23, 79:14 dismemberment [2] - 22:20, 23:10 dispatch [11] - 67:12, 69:20, 72:1, 102:21, 103:5, 104:5, 104:6,</p>	<p>105:5, 108:9, 110:18 dissolved [1] - 9:1 distance [1] - 72:15 DISTRICT [2] - 1:1, 1:2 divide [1] - 19:20 division [6] - 103:7, 105:6, 108:4, 108:5, 108:7, 127:1 divorced [1] - 7:5 Dixie [49] - 40:16, 47:5, 47:8, 51:6, 51:8, 54:17, 58:3, 58:5, 58:7, 58:20, 59:5, 60:4, 80:2, 80:4, 81:14, 83:17, 87:21, 88:18, 90:4, 90:7, 90:9, 90:12, 90:22, 91:7, 92:6, 92:7, 92:18, 94:10, 95:12, 95:23, 96:1, 96:5, 96:6, 96:7, 96:10, 132:13, 133:21, 137:5, 137:6, 139:9, 139:10, 139:19, 141:1, 141:2, 145:16, 145:17, 146:18, 148:11, 148:20 DIXIE [4] - 1:7, 1:7, 2:11, 2:11 DixieX.com [2] - 80:20, 96:10 doctor [6] - 11:3, 12:10, 29:12, 32:5, 53:13, 87:11 document [4] - 100:16, 102:11, 102:14, 110:1 documentaries [1] - 47:22 documentary [2] - 48:7, 48:13 documents [2] - 113:3, 146:20 Dodge [2] - 8:1, 8:6 dollars [1] - 117:8 done [15] - 8:15, 19:16, 23:19, 30:23, 31:6, 31:11, 31:15, 32:22, 33:3, 37:17, 52:4, 80:4, 81:20, 88:8, 146:22 DOT [8] - 138:7, 139:3, 139:14, 139:21, 140:18, 140:20, 141:4, 141:12 double [1] - 30:8 doubt [2] - 116:6,</p>	<p>120:7 Douglas [2] - 2:17, 114:16 DOUGLAS [1] - 1:4 down [30] - 62:22, 64:16, 64:17, 64:18, 93:11, 101:5, 103:1, 103:7, 103:12, 104:7, 104:9, 104:17, 104:19, 105:10, 105:21, 106:18, 107:2, 107:15, 108:3, 111:12, 111:15, 112:23, 116:9, 123:15, 125:18, 126:10, 133:23, 136:4, 151:11 Downtown [1] - 60:19 Dr [36] - 11:21, 11:22, 12:2, 12:5, 12:9, 12:10, 12:12, 12:13, 12:15, 12:17, 13:3, 13:6, 13:7, 27:2, 27:6, 27:17, 27:19, 29:21, 29:22, 31:2, 31:5, 31:19, 32:21, 33:3, 33:4, 34:6, 34:16, 34:18, 52:8, 52:13, 52:18, 52:19, 52:21, 53:2, 53:9 drank [1] - 56:20 drink [3] - 49:20, 57:13, 64:23 drinks [2] - 63:13, 63:16 drive [11] - 9:10, 9:16, 14:19, 15:1, 16:11, 16:12, 16:13, 54:1, 72:20, 101:19, 107:3 driven [1] - 124:13 driver [3] - 22:2, 91:9, 141:7 drivers [3] - 22:13, 22:15, 127:8 driveway [1] - 15:18 driving [17] - 7:11, 7:14, 10:1, 14:14, 14:16, 15:22, 22:9, 36:3, 36:4, 42:9, 54:5, 57:9, 60:18, 88:4, 98:7, 136:9, 136:10 drop [2] - 39:6, 71:15 dropped [1] - 56:13 dropper [1] - 56:11 drops [7] - 56:13, 57:4, 57:10, 57:12, 57:18, 92:8, 92:19 drove [2] - 60:17,</p>
--	---	---	--	--

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>101:22 drug [18] - 53:18, 95:3, 95:7, 99:11, 101:18, 138:7, 138:13, 138:17, 139:3, 139:14, 139:21, 140:18, 140:20, 141:4, 141:12, 143:3, 143:14 drugs [2] - 141:15, 144:22 drugstore [1] - 54:8 due [1] - 33:6 duly [2] - 4:3, 151:9 Dumas [1] - 101:20 during [8] - 17:1, 67:21, 90:16, 91:5, 92:2, 116:17, 118:21, 118:23</p>	<p>9:15, 9:17 empty [2] - 71:9, 71:17 EMSL [1] - 97:11 end [6] - 5:10, 42:5, 91:16, 91:20, 120:11, 136:23 ended [4] - 18:14, 64:12, 93:20, 137:7 Endicott [3] - 29:9, 30:17, 39:5 Endwell [2] - 38:15, 38:16 ENT [6] - 100:18, 114:7, 114:10, 114:15, 119:18, 120:12 Enterprise [57] - 3:12, 16:6, 16:15, 16:20, 17:19, 18:1, 18:14, 18:17, 19:15, 19:16, 21:9, 21:10, 21:21, 22:1, 22:7, 22:16, 22:23, 24:23, 25:5, 25:13, 25:17, 26:1, 26:8, 26:9, 26:14, 35:23, 36:3, 36:6, 36:11, 36:14, 60:18, 69:8, 69:10, 69:15, 70:3, 101:9, 103:3, 106:2, 108:20, 110:8, 110:10, 113:4, 113:12, 113:19, 114:17, 114:23, 116:11, 116:13, 116:15, 117:5, 118:3, 118:11, 118:12, 121:6, 121:9, 121:14, 121:17 Enterprise's [1] - 25:13 entire [1] - 25:6 entitled [1] - 143:5 entry [1] - 120:21 EP [2] - 3:10, 98:15 episode [1] - 30:15 equalled [1] - 22:4 ERIC [1] - 2:8 Eric [2] - 4:8, 144:14 Erica [1] - 9:8 ERIE [1] - 151:3 Erie [1] - 151:6 ESQ [4] - 2:3, 2:8, 2:13, 2:13 essence [1] - 69:18 estimate [1] - 135:22 eventually [1] - 114:11 everywhere [2] - 139:18, 143:22 exact [1] - 49:10</p>	<p>exactly [9] - 20:9, 29:17, 92:23, 96:8, 98:21, 112:14, 112:15, 124:15, 135:19 EXAMINATION [4] - 3:1, 4:6, 132:9, 147:1 Examination [1] - 1:10 examined [1] - 4:3 example [1] - 28:20 except [1] - 43:6 Exchange [1] - 125:3 exchange [1] - 3:14 excuse [2] - 7:15, 85:10 exhibit [11] - 44:23, 98:15, 113:16, 114:8, 114:10, 114:12, 114:15, 119:17, 119:20, 120:11, 124:22 EXHIBIT [1] - 3:5 Exhibit [29] - 3:6, 3:8, 3:9, 3:10, 3:12, 3:14, 26:19, 26:23, 27:1, 33:22, 44:18, 44:22, 73:23, 75:10, 75:19, 75:22, 81:4, 83:16, 86:12, 87:19, 98:14, 100:14, 109:23, 113:12, 113:17, 114:1, 125:3, 125:6, 132:15 expand [1] - 146:12 expenses [2] - 122:20, 123:18 experience [1] - 57:16 explain [1] - 111:18 explore [1] - 109:1 extensive [1] - 148:22 extract [1] - 142:9 eye [2] - 56:11, 56:13</p>	<p>far [5] - 47:1, 72:16, 82:20, 84:21, 144:6 fat [1] - 48:4 Fat [2] - 48:5, 48:13 FCU [1] - 42:2 February [8] - 10:1, 102:20, 103:11, 104:20, 104:21, 109:9, 112:2, 127:7 Federal [4] - 38:6, 38:7, 41:14, 42:19 feet [1] - 108:11 fell [3] - 10:13, 10:17, 22:15 female [3] - 91:14, 91:17, 91:18 fever [1] - 29:14 few [4] - 131:5, 147:19, 147:22, 148:16 fidelity [1] - 25:10 field [1] - 9:17 fight [1] - 85:4 fighting [2] - 86:22, 87:2 figured [1] - 35:6 filled [2] - 36:6, 53:11 filling [1] - 35:22 finally [2] - 73:4, 149:8 finances [2] - 5:17, 35:7 financial [3] - 5:14, 25:14, 125:17 financially [1] - 119:10 fine [3] - 94:13, 95:1, 141:9 finished [2] - 17:14, 36:12 fired [5] - 73:9, 126:2, 126:9, 126:23, 129:4 first [26] - 4:3, 5:5, 6:5, 6:9, 27:6, 28:8, 32:12, 32:17, 46:6, 48:10, 50:7, 50:8, 60:3, 60:6, 71:3, 75:23, 81:5, 82:9, 90:11, 105:4, 114:7, 116:2, 122:10, 126:22, 132:13, 144:9 five [18] - 7:4, 16:15, 18:1, 18:4, 19:5, 19:6, 19:8, 19:9, 33:7, 72:23, 86:16, 90:6, 90:14, 97:15, 129:16, 129:20, 135:23 fixation [1] - 29:2 flare [2] - 28:19, 30:18 flare-up [1] - 30:18</p>	<p>flare-ups [1] - 28:19 flew [2] - 11:16, 11:17 flipping [2] - 119:17, 120:10 Floor [1] - 2:14 flu [1] - 28:22 fly [1] - 105:14 folks [2] - 11:15, 124:23 follow [3] - 132:4, 132:11, 147:3 follow-up [3] - 132:4, 132:11, 147:3 following [5] - 26:18, 44:17, 98:13, 113:11, 125:2 follows [1] - 4:4 food [3] - 34:12, 57:13, 145:8 foods [2] - 50:6, 75:14 FOR [3] - 2:2, 2:6, 2:11 foregoing [1] - 151:12 forgot [1] - 119:8 form [23] - 59:3, 59:17, 60:1, 62:13, 83:23, 86:3, 89:18, 111:2, 139:6, 139:16, 139:22, 140:2, 140:7, 140:9, 140:13, 140:19, 142:20, 144:5, 144:12, 146:3, 146:13, 149:14, 149:21 forms [4] - 23:18, 24:2, 24:4, 24:12 formula [1] - 31:14 forth [4] - 37:21, 82:16, 131:21, 151:11 four [4] - 9:7, 19:1, 67:2, 135:23 FRANK [1] - 2:3 Freeport [18] - 60:8, 60:10, 60:14, 60:16, 60:20, 60:22, 67:14, 67:18, 68:2, 68:7, 68:11, 68:14, 70:6, 70:8, 70:22, 71:7, 72:8, 72:18 friend [8] - 60:17, 64:8, 65:23, 66:6, 66:10, 66:12, 67:7, 67:9 front [2] - 92:23, 125:6 fuel [2] - 123:20, 123:21 full [3] - 95:15, 95:16, 151:12</p>
E				
<p>E-mail [2] - 3:14, 125:3 e-mail [7] - 100:2, 100:11, 125:7, 125:11, 125:19, 126:3, 127:19 e-mails [1] - 52:22 earn [1] - 16:5 earned [1] - 16:22 easier [1] - 104:2 East [1] - 38:16 eat [2] - 30:7, 30:8 eaten [1] - 145:11 eating [2] - 52:6, 145:8 EDIBLES [2] - 1:7, 2:11 Edibles [3] - 139:9, 139:10, 139:20 effect [1] - 146:16 eight [1] - 10:17 either [5] - 48:11, 56:19, 57:16, 72:6, 108:5 Elixir [5] - 138:6, 139:9, 139:10, 139:20, 145:16 ELIXIRS [2] - 1:7, 2:11 Elizabeth [5] - 82:10, 82:12, 82:17, 82:20, 83:1 emergency [4] - 11:7, 11:11, 33:9, 33:15 employee [5] - 7:18, 19:8, 19:9, 104:13, 104:14 employees [1] - 69:16 employment [2] -</p>				
F				
<p>face [2] - 52:23 face-to-face [1] - 52:23 Facebook [3] - 45:21, 46:4, 46:12 fact [2] - 18:17, 35:18 facts [1] - 27:16 Fall [1] - 63:3 fall [1] - 107:17 falling [1] - 10:14 family [3] - 22:16, 76:2, 108:2 fancy [1] - 113:15 fantastic [1] - 20:3</p>				

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

fund ^[1] - 25:10 FURTHER ^[1] - 147:1 future ^[1] - 25:2	handed ^[1] - 59:6 handing ^[1] - 73:22 hands ^[1] - 56:9 handwriting ^[1] - 102:13 handwritten ^[1] - 88:10 handy ^[1] - 135:12 hang ^[1] - 61:2 hard ^[1] - 49:7 harm's ^[1] - 108:6 Harp ^[4] - 3:2, 26:19, 46:8, 98:15 HARP ^[2] - 1:4, 1:11 Harp-Horn ^[3] - 3:2, 46:8, 98:15 HARP-HORN ^[2] - 1:4, 1:11 hauled ^[1] - 7:22 head ^[5] - 34:10, 85:13, 105:5, 110:18, 146:19 headache ^[1] - 84:4 heading ^[3] - 34:1, 81:6, 81:7 health ^[4] - 17:15, 47:15, 47:18, 91:12 healthy ^[1] - 52:6 hear ^[2] - 87:10, 112:5 heard ^[4] - 4:13, 8:3, 32:14, 64:14 held ^[3] - 1:11, 12:23, 79:14 help ^[9] - 45:14, 51:16, 51:19, 57:23, 58:15, 84:8, 84:13, 84:18, 85:4 helped ^[2] - 51:18, 51:19 helping ^[1] - 115:18 hemp ^[43] - 48:15, 48:17, 48:19, 49:2, 49:4, 49:12, 49:14, 49:23, 50:2, 50:7, 50:14, 51:16, 51:22, 52:14, 52:15, 62:8, 76:5, 77:2, 78:19, 79:6, 79:8, 79:21, 85:9, 85:10, 86:21, 87:2, 133:22, 137:16	Hep ^[1] - 33:10 Hepatitis ^[6] - 27:14, 27:21, 31:22, 32:1, 32:3, 32:19 hereby ^[2] - 151:6, 151:12 herein ^[1] - 151:10 hereinbefore ^[1] - 151:8 hereunto ^[1] - 151:18 high ^[1] - 144:1 High ^[12] - 63:3, 64:11, 75:17, 75:21, 76:3, 88:5, 88:7, 92:11, 92:17, 143:6, 144:10, 148:7 hire ^[3] - 8:22, 20:12, 20:18 History ^[1] - 27:9 history ^[4] - 27:12, 27:16, 31:23, 110:2 hit ^[2] - 56:22, 108:1 hmm ^[7] - 33:5, 38:14, 39:18, 43:21, 122:7, 131:11, 133:7 holding ^[2] - 147:9, 149:6 Holdings ^[5] - 96:2, 137:15, 140:16, 146:17 HOLDINGS ^[2] - 1:7, 2:6 holiday ^[1] - 18:8 home ^[25] - 11:14, 11:16, 11:17, 14:22, 15:1, 15:11, 15:14, 16:10, 16:11, 16:14, 16:19, 23:1, 29:18, 35:21, 37:3, 37:5, 37:15, 39:23, 42:10, 54:9, 71:18, 73:4, 75:7, 83:8, 105:14 homes ^[1] - 37:9 honest ^[1] - 35:20 honestly ^[6] - 21:12, 55:11, 59:9, 82:3, 90:21, 136:1 hook ^[2] - 103:21, 108:11 horn ^[6] - 6:3, 7:20, 18:18, 19:7, 21:13, 132:11 Horn ^[8] - 2:17, 3:2, 3:7, 3:11, 26:19, 46:8, 98:15, 114:16 HORN ^[3] - 1:4, 1:11 Horn's ^[12] - 8:7, 8:15, 9:21, 123:1, 123:4, 123:9, 123:18, 124:14, 130:18, 131:1, 131:12, 131:18 Horn-Harp ^[1] - 26:19 hose ^[1] - 108:13 hoses ^[2] - 103:21, 108:11 hospital ^[1] - 11:9 hotel ^[5] - 68:13, 68:17, 68:23, 69:21, 69:22 hour ^[6] - 20:9, 57:14, 66:19, 67:19, 67:22, 68:8 hour's ^[1] - 72:20 hourly ^[2] - 20:8, 20:14 hours ^[12] - 20:8, 66:21, 66:23, 67:2, 67:4, 67:16, 72:23, 82:14, 82:15, 148:23 house ^[5] - 22:18, 82:5, 82:15, 82:22, 83:2 HOUSH ^[30] - 2:3, 2:3, 59:3, 59:17, 60:1, 61:13, 62:2, 62:13, 79:11, 83:23, 86:3, 89:18, 89:20, 111:2, 139:6, 139:16, 139:22, 140:2, 140:7, 140:9, 140:13, 140:19, 142:20, 144:5, 144:12, 146:3, 146:13, 149:14, 149:21, 150:3 Houston ^[4] - 72:11, 72:13, 103:5, 104:5 hundred ^[1] - 108:11 hundred-feet ^[1] - 108:11 hurt ^[1] - 59:15 hurting ^[1] - 57:21 husband ^[48] - 4:10, 5:15, 5:21, 6:9, 7:17, 8:3, 8:5, 9:12, 9:23, 13:12, 14:2, 36:8, 48:15, 49:1, 50:13, 51:17, 51:19, 54:16, 55:1, 56:16, 59:7, 69:7, 73:16, 74:15, 78:2, 80:3, 82:4, 87:22, 96:22, 97:2, 98:18, 100:4, 103:2, 107:10, 108:15, 108:20, 112:20, 113:7, 115:9, 115:12, 116:16, 117:1, 118:22, 126:2, 126:8, 143:1, 149:11, 149:16 husband's ^[11] - 41:1, 97:12, 99:11, 104:3, 112:5, 114:17, 117:16, 118:2, 122:14, 123:6, 123:8 hyphenated ^[1] - 46:7	I IBM ^[2] - 38:19, 38:21 ibuprofens ^[1] - 30:2 ICX ^[17] - 15:19, 16:12, 16:21, 17:4, 20:6, 20:7, 20:11, 20:13, 20:16, 21:2, 21:5, 21:14, 21:19, 23:7, 23:17, 24:20, 25:3 ID ^[2] - 70:2, 104:14 idea ^[8] - 6:19, 69:11, 95:19, 96:18, 121:3, 127:17, 135:10, 135:17 identification ^[5] - 26:18, 44:17, 98:13, 113:11, 125:2 illegal ^[3] - 142:13, 144:2, 144:6 immediately ^[3] - 29:13, 67:10, 105:12 immune ^[1] - 85:6 impression ^[2] - 34:18, 111:14 IN ^[1] - 151:18 INC ^[2] - 1:7, 2:6 Inc ^[4] - 96:1, 133:4, 137:11, 146:17 inches ^[1] - 10:17 including ^[2] - 41:12, 48:13 income ^[6] - 8:20, 35:8, 107:17, 108:1, 117:12, 128:4 increase ^[2] - 17:5, 47:20 indicate ^[1] - 127:4 indicated ^[2] - 29:15, 95:12 infection ^[8] - 27:13, 27:21, 28:3, 28:6, 28:9, 28:13, 29:17, 30:18 inflamed ^[1] - 84:10 inflammation ^[1] - 84:8 information ^[16] - 58:12, 58:21, 59:4, 77:9, 77:18, 77:19, 93:17, 95:11, 96:15, 105:17, 125:16
G			
Galveston ^[1] - 72:9 gas ^[1] - 44:5 general ^[4] - 87:12, 87:13, 92:6, 94:12 generally ^[1] - 122:19 genus ^[3] - 142:10, 142:14, 142:19 Genus ^[1] - 142:22 GENUS ^[1] - 142:22 given ^[9] - 4:22, 17:15, 96:15, 104:12, 104:15, 106:4, 106:8, 127:9, 127:11 glad ^[1] - 44:1 goods ^[1] - 67:17 Google ^[2] - 77:23, 137:1 Googling ^[1] - 137:5 gotcha ^[1] - 116:12 great ^[3] - 21:18, 42:6, 86:21 Green ^[3] - 50:5, 50:7, 51:12 grew ^[1] - 49:17 grind ^[1] - 103:23 grinding ^[1] - 104:1 grocery ^[1] - 149:7 ground ^[1] - 10:16 guess ^[7] - 14:16, 19:22, 29:5, 41:2, 113:21, 130:6, 135:10 guru ^[1] - 119:11 Guthrie ^[6] - 3:6, 12:12, 13:23, 26:19, 32:6, 32:7 Guthrie's ^[1] - 13:9 guy ^[1] - 105:16 guys ^[5] - 104:17, 105:15, 107:5, 107:9			
H			
habit ^[1] - 37:7 half ^[5] - 16:19, 25:6, 72:10, 94:4, 115:6 halfway ^[3] - 101:4, 116:9, 119:19 Hall ^[1] - 110:6 hand ^[10] - 35:23, 44:9, 59:11, 59:20, 59:23, 100:18, 101:1, 119:18, 119:23, 149:7			

DEROJO CROSBY REPORTING SERVICES, INC.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>125:17, 126:5, 137:3, 146:15, 147:15</p> <p>informed [1] - 53:12</p> <p>informing [1] - 24:15</p> <p>infused [2] - 145:8, 145:11</p> <p>injured [3] - 10:20, 22:8, 22:10</p> <p>injuries [5] - 10:9, 11:1, 12:3, 12:8, 74:19</p> <p>innovator [1] - 137:16</p> <p>inside [12] - 55:16, 62:16, 66:17, 74:23, 75:1, 97:14, 98:22, 99:1, 99:3, 99:7, 99:17</p> <p>insists [1] - 15:13</p> <p>Instagram [2] - 46:15, 46:18</p> <p>instead [1] - 149:6</p> <p>instruction [2] - 5:5, 5:9</p> <p>instructions [2] - 4:15, 4:19</p> <p>insurance [14] - 21:13, 21:16, 21:19, 21:20, 21:23, 22:6, 22:7, 22:20, 22:22, 23:3, 23:11, 26:9, 124:1, 130:11</p> <p>intentionally [1] - 95:13</p> <p>interact [2] - 111:9, 111:21</p> <p>interacted [1] - 110:7</p> <p>interest [3] - 47:11, 47:14, 48:1</p> <p>interested [3] - 43:15, 148:9, 151:16</p> <p>Internet [11] - 54:12, 85:22, 88:9, 88:11, 88:13, 93:11, 132:18, 138:5, 149:3, 149:4, 149:6</p> <p>interrupt [1] - 79:11</p> <p>interview [1] - 133:16</p> <p>intravenous [1] - 144:22</p> <p>invested [2] - 116:22, 119:3</p> <p>investigate [1] - 88:1</p> <p>investigating [1] - 87:21</p> <p>investigation [2] - 76:8, 88:3</p> <p>investment [1] - 119:15</p> <p>invoice [7] - 81:1,</p>	<p>81:6, 81:7, 81:11, 96:7, 96:8, 135:11</p> <p>iPad [12] - 92:20, 93:2, 93:8, 93:9, 93:13, 93:21, 93:22, 134:21, 134:23, 135:2, 135:3, 135:4</p> <p>IRA [2] - 118:5, 122:11</p> <p>isolation [1] - 107:14</p> <p>issues [1] - 28:1</p> <p>items [1] - 132:12</p> <p>Ithaca [2] - 50:4, 51:12</p>	<p>27:20, 28:3, 28:6, 28:9, 28:13, 29:2, 29:16, 30:9, 30:18, 30:21</p> <p>kidneys [1] - 30:10</p> <p>killed [2] - 22:9, 22:12</p> <p>kind [6] - 23:3, 45:13, 52:4, 63:9, 91:21, 141:6</p> <p>kinds [1] - 47:16</p> <p>knowing [1] - 98:21</p> <p>knowledge [7] - 5:16, 39:3, 47:20, 62:10, 62:14, 96:21, 97:1</p> <p>known [1] - 85:3</p>	<p>learn [2] - 47:17, 137:14</p> <p>learned [5] - 85:18, 102:5, 132:13, 143:4, 144:9</p> <p>learning [3] - 47:11, 47:17, 48:2</p> <p>least [4] - 12:1, 19:2, 32:2, 67:15</p> <p>leaving [1] - 67:10</p> <p>led [1] - 48:14</p> <p>left [10] - 11:11, 66:8, 67:6, 70:9, 101:5, 118:16, 118:17, 119:4, 119:13, 122:17</p> <p>legal [2] - 7:6, 143:11</p> <p>legally [1] - 9:4</p> <p>length [1] - 55:7</p> <p>lenient [1] - 16:18</p> <p>less [9] - 107:7, 109:17, 109:19, 109:21, 119:22, 124:16, 124:18, 124:20, 129:23</p> <p>LG [1] - 75:5</p> <p>life [14] - 21:13, 21:16, 21:18, 21:20, 21:23, 22:6, 22:7, 22:22, 23:3, 23:11, 26:9, 33:19, 144:21, 144:23</p> <p>lifetime [1] - 44:7</p> <p>light [1] - 90:19</p> <p>limb [1] - 22:10</p> <p>LINDSTROM [2] - 2:13, 50:11</p> <p>line [3] - 91:17, 91:20, 133:21</p> <p>lines [1] - 146:10</p> <p>linked [1] - 25:11</p> <p>list [1] - 110:15</p> <p>listed [2] - 27:11, 147:14</p> <p>listen [1] - 61:14</p> <p>listening [2] - 136:18, 136:19</p> <p>literature [1] - 143:22</p> <p>litigation [1] - 46:22</p> <p>live [3] - 6:13, 39:6, 122:9</p> <p>lived [2] - 30:17, 39:4</p> <p>livelihood [2] - 143:2, 144:8</p> <p>liver [1] - 30:13</p> <p>lives [1] - 6:19</p> <p>living [7] - 7:11, 7:14, 9:11, 14:17, 28:11, 29:8, 122:20</p> <p>LLC [16] - 1:7, 2:6,</p>	<p>8:7, 8:16, 8:21, 9:1, 9:21, 123:1, 123:4, 123:9, 123:19, 124:14, 130:18, 131:2, 131:12, 131:19</p> <p>LLP [1] - 2:12</p> <p>load [8] - 29:10, 60:17, 70:21, 70:22, 71:6, 71:7, 71:14, 71:15</p> <p>loaded [2] - 71:10, 71:16</p> <p>loads [1] - 72:5</p> <p>loan [1] - 130:20</p> <p>located [2] - 72:8, 91:23</p> <p>Lockwood [2] - 4:2, 75:8</p> <p>log [4] - 35:22, 36:2, 36:15, 37:1</p> <p>logbooks [1] - 72:1</p> <p>logs [2] - 36:5, 36:9</p> <p>long-term [2] - 23:5, 23:9</p> <p>look [6] - 37:6, 37:16, 37:17, 119:23, 135:11, 148:16</p> <p>looked [3] - 59:5, 73:15, 134:17</p> <p>looking [14] - 43:14, 62:18, 64:17, 78:6, 81:11, 84:15, 84:22, 85:21, 92:19, 127:13, 131:22, 132:14, 147:10, 149:5</p> <p>lose [2] - 51:17, 51:20</p> <p>losing [3] - 52:1, 129:2, 129:10</p> <p>loss [1] - 128:4</p> <p>Louisiana [1] - 106:21</p> <p>lump [1] - 20:19</p> <p>lunch [8] - 60:20, 65:1, 65:2, 65:6, 65:23, 66:3, 66:6, 94:20</p>
	J		L	
<p>James [11] - 32:12, 32:16, 82:14, 83:9, 94:3, 128:1, 128:17, 129:4, 129:10, 135:7, 136:10</p> <p>James' [1] - 32:14</p> <p>January [8] - 18:6, 28:10, 101:12, 103:11, 104:20, 114:3, 120:1, 120:18</p> <p>Jared [4] - 105:1, 105:17, 106:15, 110:14</p> <p>JARED [1] - 105:4</p> <p>JC [1] - 132:5</p> <p>JEAN [1] - 2:13</p> <p>JEAN-CLAUDE [1] - 2:13</p> <p>Jeff [2] - 125:7, 125:21</p> <p>Jersey [2] - 29:11, 70:18</p> <p>job [5] - 22:14, 107:22, 121:20, 129:6, 129:10</p> <p>jobs [1] - 122:4</p> <p>Joe [1] - 48:6</p> <p>joint [1] - 41:2</p> <p>joints [1] - 84:9</p> <p>juicing [3] - 47:19, 47:21, 48:2</p> <p>July [1] - 35:15</p> <p>June [3] - 7:7, 7:15, 35:15</p>	K	<p>Karol [1] - 27:6</p> <p>Keber [2] - 134:15, 134:16</p> <p>Keenan [1] - 102:9</p> <p>keep [7] - 35:4, 36:7, 36:8, 44:14, 108:8, 112:22, 148:22</p> <p>kept [1] - 97:14</p> <p>kidney [12] - 27:13,</p>	<p>L-A-C [1] - 103:20</p> <p>lab [1] - 99:19</p> <p>label [7] - 27:8, 99:5, 99:6, 147:14, 149:9, 149:16, 149:19</p> <p>labelled [1] - 116:11</p> <p>labelling [1] - 147:11</p> <p>lac [3] - 103:15, 103:16</p> <p>LACK [1] - 103:19</p> <p>lack [1] - 103:22</p> <p>LadyDeath [1] - 45:7</p> <p>LadyDeathZ [2] - 45:3, 46:2</p> <p>Lafayette [2] - 1:13, 2:9</p> <p>laid [4] - 60:16, 67:11, 68:15, 68:17</p> <p>Lake [3] - 106:18, 106:21, 111:7</p> <p>large [1] - 114:3</p> <p>last [28] - 4:11, 13:17, 15:7, 17:1, 17:3, 28:5, 28:14, 28:16, 31:8, 31:12, 34:8, 34:9, 35:2, 46:7, 61:23, 72:6, 85:18, 97:15, 101:13, 101:16, 101:23, 112:1, 115:11, 124:22, 131:9, 131:10, 131:12, 144:15</p> <p>late [1] - 65:14</p> <p>latest [1] - 65:7</p> <p>LAW [1] - 2:3</p> <p>lawsuit [2] - 5:22, 125:12</p> <p>layover [6] - 67:13, 67:19, 67:22, 68:8, 70:5, 70:15</p> <p>lead [1] - 146:1</p>	
				M
				<p>ma'am [7] - 9:6, 33:22, 44:21, 94:21, 98:18, 110:1, 113:15</p> <p>magazine [43] - 60:5, 60:7, 60:11, 60:15, 61:4, 62:15, 62:19, 62:21, 63:12, 63:15, 63:21, 64:2, 64:6, 64:11, 64:18, 65:9, 65:22, 66:2, 66:5, 66:10, 66:13, 67:6,</p>

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

73:1, 73:5, 73:8,
73:14, 73:17, 74:4,
74:5, 75:10, 75:17,
75:21, 76:3, 84:12,
88:6, 88:8, 92:11,
92:17, 132:14,
143:5, 144:10,
144:13, 148:8
magazines [5] - 61:11,
62:23, 63:6, 64:10,
64:15
mail [12] - 3:14, 18:19,
24:13, 82:16, 100:2,
100:11, 125:3,
125:7, 125:11,
125:19, 126:3,
127:19
mails [1] - 52:22
main [3] - 38:15,
38:21, 39:2
Main [1] - 38:16
maintain [1] - 51:23
makeup [1] - 99:2
man [1] - 133:19
manager [4] - 29:11,
102:22, 110:13,
111:6
mandatory [3] - 16:3,
129:21
March [6] - 13:15,
13:21, 14:13, 109:9,
125:3, 125:10
Marijuana [9] - 96:1,
133:4, 137:11,
138:21, 139:1,
143:5, 144:11,
145:16, 146:17
marijuana [12] - 85:10,
86:1, 138:10,
142:16, 143:8,
143:10, 144:16,
144:18, 145:2,
145:8, 145:11
MARIJUANA [2] - 1:7,
2:6
MARISSA [2] - 151:5,
151:22
Marissa [1] - 1:11
marked [11] - 26:18,
26:22, 44:17, 44:21,
75:18, 81:3, 98:13,
100:13, 113:11,
125:2, 143:23
marketed [2] - 95:16,
95:18
marking [1] - 37:7
marriage [1] - 6:5
married [4] - 6:3, 6:7,
7:3, 7:8
Marten [1] - 7:18

Maryland [1] - 93:12
mask [1] - 138:7
MasterCard [1] - 41:6
match [3] - 26:5,
92:16, 130:4
Match [2] - 116:11,
116:13
matched [1] - 116:15
matching [2] - 25:23,
26:9
material [1] - 99:3
materials [1] - 59:1
math [1] - 130:8
mattress [1] - 10:16
maximum [1] - 68:4
MAZZOLA [7] - 2:13,
45:6, 61:23, 73:18,
73:20, 121:21, 132:9
Mazzola [1] - 3:3
mean [7] - 20:18, 49:9,
63:3, 77:15, 95:16,
109:6, 149:4
meaning [1] - 117:10
means [1] - 84:3
Med [2] - 3:6, 26:19
media [5] - 45:3,
46:11, 46:14, 46:22,
47:4
Medical [9] - 27:9,
95:23, 96:1, 137:11,
138:21, 139:1,
143:5, 144:11,
145:16
MEDICAL [2] - 1:7, 2:6
medical [10] - 11:4,
27:12, 27:16, 27:19,
31:23, 83:20, 84:1,
84:5, 84:18
medication [2] - 53:2,
53:21
medicinal [1] - 84:2
medicine [4] - 28:20,
28:22, 30:4, 84:5
meet [5] - 60:19, 61:2,
64:8, 65:5, 67:7
mega [1] - 98:23
memory [3] - 72:3,
80:23, 81:13
men [1] - 107:13
merchandise [1] -
67:18
mercy [1] - 106:1
MESSNER [1] - 2:12
met [4] - 65:22, 66:6,
67:9, 110:9
Mexican [2] - 72:16,
72:17
middle [4] - 46:6,
114:12, 120:4,
127:19

Midland [3] - 103:10,
104:16, 105:21
might [4] - 38:3,
67:15, 71:4, 146:7
migraine [1] - 34:9
migraines [1] - 34:21
Mike [3] - 110:6,
110:9, 110:21
mileage [2] - 105:22,
105:23
miles [4] - 16:13, 20:3,
72:13, 82:23
milk [19] - 48:15, 49:2,
49:4, 49:8, 49:12,
49:14, 49:18, 49:20,
49:21, 49:23, 50:3,
50:7, 50:14, 52:14,
76:5, 78:19, 79:6,
79:9, 79:21
mind [1] - 102:6
mine [3] - 33:3, 33:6,
123:5
minimum [1] - 15:13
minutes [2] - 90:14,
147:19
miss [1] - 56:19
missed [1] - 121:22
MMJ [5] - 133:5,
133:6, 136:20,
137:7, 137:19
model [1] - 42:7
mom [2] - 87:13,
87:15
moment [1] - 85:16
money [18] - 25:16,
41:17, 106:5,
112:22, 114:22,
115:3, 115:12,
115:15, 116:14,
116:21, 117:7,
119:2, 121:4, 121:8,
122:7, 122:17,
123:3, 123:8
month [6] - 8:11,
31:20, 37:19, 40:7,
43:3, 68:1
monthly [3] - 39:11,
40:3, 122:20
months [2] - 123:23,
131:5
morning [1] - 64:23
mortgage [2] - 109:8,
122:20
most [1] - 43:15
motel [4] - 11:13,
68:21, 69:3, 69:14
motels [1] - 69:2
mother [5] - 84:14,
84:23, 86:10, 86:14,
86:21

mother's [1] - 84:22
move [4] - 105:11,
105:12, 105:13,
112:8
moved [1] - 97:17
MR [49] - 4:6, 13:2,
26:21, 44:20, 45:6,
59:3, 59:17, 60:1,
61:13, 61:23, 62:2,
62:3, 62:13, 73:18,
73:19, 73:20, 73:21,
79:11, 79:19, 83:23,
86:3, 89:18, 89:20,
94:19, 98:17, 111:2,
113:14, 121:21,
122:3, 125:5, 132:9,
139:6, 139:16,
139:22, 140:2,
140:7, 140:9,
140:13, 140:19,
142:20, 144:5,
144:12, 146:3,
146:13, 147:1,
149:14, 149:21,
150:2, 150:3
MS [1] - 50:11
multiple [1] - 113:16
MURA [2] - 1:12, 2:7
Mura [1] - 4:9
music [2] - 61:19,
61:21

N

N-A-V-A [1] - 6:12
N-U-T-I-V-A [1] - 76:14
name [28] - 4:8, 6:11,
7:1, 27:6, 30:3, 46:5,
46:6, 46:7, 46:11,
50:4, 60:23, 61:5,
61:7, 77:8, 78:20,
81:8, 91:1, 91:3,
92:9, 92:15, 99:21,
100:21, 105:2,
105:4, 110:14,
121:11, 151:18
named [1] - 99:20
names [2] - 110:3,
110:5
natural [2] - 50:5,
62:11
naturally [1] - 85:5
nature [2] - 44:5, 76:8
Nava [3] - 6:12, 7:3,
7:8
near [3] - 62:21,
100:21, 106:21
nearly [1] - 48:4
Nearly [2] - 48:6,
48:14
neck [7] - 10:10,
10:19, 10:22, 12:2,
57:21, 57:23, 58:15
need [1] - 84:19
needed [3] - 34:4,
43:12, 106:3
negative [1] - 32:18
net [1] - 25:14
never [21] - 9:1, 36:5,
47:1, 62:19, 97:17,
97:21, 98:18, 99:15,
100:1, 119:5, 121:7,
139:4, 140:20,
144:19, 144:20,
144:21, 144:23,
145:3, 145:6,
145:10, 145:13
new [7] - 49:19, 93:21,
103:3, 109:1,
122:10, 124:5,
133:21
NEW [2] - 1:2, 151:1
New [11] - 1:14, 2:4,
2:9, 2:15, 4:2, 32:5,
38:9, 70:18, 75:8,
151:6
next [5] - 11:12, 23:2,
57:13, 71:20, 71:23
Niagara [1] - 2:4
night [3] - 23:2, 65:12,
67:12
nighttime [2] - 57:7,
90:17
Noble [4] - 60:23,
61:9, 61:17, 63:23
nobody's [3] - 139:4,
139:5
noon [1] - 65:4
North [4] - 103:9,
104:1, 104:16,
105:20
Notary [3] - 1:12,
151:5, 151:22
notes [2] - 88:10,
151:13
nothing [5] - 47:3,
53:23, 131:18,
144:13, 151:9
notice [4] - 1:15,
127:9, 127:12,
151:10
notification [1] - 73:11
November [3] -
101:14, 114:4, 120:1
Number [1] - 26:23
number [13] - 6:20,
17:5, 27:12, 34:3,
70:1, 70:2, 76:16,
78:15, 88:23, 89:7,
89:9, 104:14, 116:4

numbering ^[1] - 114:13 numbers ^[7] - 104:13, 104:15, 114:10, 127:18, 127:21, 127:23, 128:3 Nutiva ^[8] - 76:12, 77:3, 77:12, 78:1, 78:20, 88:19, 147:4, 149:2	older ^[1] - 91:17 once ^[4] - 36:20, 93:18, 98:3, 110:9 one ^[64] - 9:7, 16:13, 16:16, 17:3, 20:10, 22:14, 23:2, 25:20, 27:12, 31:11, 31:15, 31:16, 33:18, 38:22, 39:8, 39:16, 44:23, 45:3, 54:17, 56:2, 58:3, 60:2, 62:1, 64:5, 64:13, 71:5, 75:18, 81:18, 85:10, 90:3, 92:2, 92:5, 95:18, 95:19, 97:10, 98:4, 100:16, 105:16, 106:3, 108:13, 110:19, 113:2, 113:16, 114:15, 116:10, 121:9, 121:13, 127:22, 129:2, 133:4, 133:16, 133:23, 134:2, 134:3, 134:4, 134:7, 134:11, 142:9, 146:8 one-page ^[2] - 44:23, 100:16 one-year ^[1] - 129:2 online ^[3] - 51:2, 78:3, 80:13 open ^[4] - 56:7, 106:17, 107:8, 127:15 opened ^[3] - 56:9, 99:15, 103:12 opening ^[1] - 74:2 operate ^[3] - 9:20, 96:19, 96:23 operated ^[1] - 8:10 operating ^[2] - 15:9, 124:2 operation ^[1] - 33:14 operations ^[1] - 39:3 operator ^[1] - 7:21 opportunity ^[1] - 112:6 oppose ^[1] - 52:22 opt ^[1] - 24:18 opted ^[1] - 107:20 option ^[1] - 112:21 orally ^[1] - 27:23 order ^[12] - 58:8, 80:16, 81:17, 81:18, 81:21, 82:1, 91:4, 96:11, 98:5, 98:8, 98:9, 98:23 ordered ^[3] - 54:17, 58:9, 89:6 ordering ^[1] - 51:2	original ^[1] - 93:22 otherwise ^[1] - 9:2 outcome ^[1] - 151:16 over-the-counter ^[2] - 28:20, 34:17 overhead ^[1] - 123:18 own ^[11] - 7:20, 23:8, 39:17, 45:20, 61:1, 69:17, 74:18, 75:2, 86:9, 103:14, 126:11 owned ^[2] - 7:20, 7:22 owner ^[1] - 7:21 owns ^[1] - 96:1	part ^[7] - 10:22, 12:12, 84:9, 94:9, 97:6, 123:11, 137:12 particular ^[6] - 45:16, 52:11, 69:14, 70:5, 75:18, 76:15 parties ^[1] - 145:15 partly ^[1] - 108:2 partner ^[1] - 109:2 party ^[1] - 151:15 passenger ^[2] - 10:13, 136:15 passing ^[2] - 23:1, 143:3 Past ^[1] - 27:9 past ^[5] - 27:12, 27:19, 28:1, 31:23, 56:17 pastries ^[1] - 62:7 pay ^[18] - 19:14, 19:15, 19:18, 19:19, 20:7, 20:8, 20:12, 20:13, 20:18, 22:8, 23:7, 23:8, 25:9, 25:21, 35:13, 69:4, 69:16, 130:1 paycheck ^[1] - 20:19 paying ^[1] - 109:8 payment ^[6] - 81:12, 81:19, 96:6, 123:16, 123:22 pension ^[1] - 129:13 people ^[9] - 21:1, 47:5, 83:18, 104:9, 104:11, 110:7, 127:14, 138:14, 148:11 people's ^[1] - 37:9 per ^[5] - 20:1, 22:2, 22:5, 105:19, 107:4 perceive ^[1] - 84:13 perceived ^[1] - 58:14 percent ^[17] - 77:2, 84:17, 91:10, 95:5, 116:4, 117:15, 120:5, 129:13, 130:4, 130:7, 138:12, 141:18, 141:21, 141:22, 143:18, 144:1, 148:8 percentage ^[2] - 26:5, 116:7 perhaps ^[1] - 101:8 period ^[19] - 8:11, 16:4, 17:13, 18:10, 31:20, 55:7, 67:19, 67:22, 68:8, 68:10, 83:11, 114:3, 116:4, 116:17, 119:22, 120:3, 120:18, 131:1, 132:1	periods ^[1] - 25:21 person ^[11] - 11:4, 22:5, 77:9, 80:7, 91:20, 91:23, 92:2, 94:23, 95:8, 99:23, 148:19 personal ^[2] - 116:3, 120:4 personally ^[1] - 79:7 Personnel ^[3] - 3:9, 98:14, 100:17 pertained ^[1] - 29:1 pertains ^[1] - 84:5 Petro ^[1] - 83:6 pharmacist ^[1] - 53:11 pharmacy ^[1] - 53:15 phone ^[29] - 6:20, 43:7, 76:15, 76:20, 77:3, 78:13, 78:14, 79:23, 89:8, 89:9, 89:13, 89:22, 90:3, 90:4, 90:6, 90:9, 90:11, 91:5, 92:3, 94:11, 95:1, 95:7, 104:9, 143:20, 147:13, 147:17, 148:11, 148:12, 148:19 physical ^[14] - 13:5, 13:6, 13:7, 13:9, 13:12, 13:17, 13:23, 14:2, 14:5, 17:14, 30:23, 31:4, 31:6, 31:8 physically ^[2] - 56:9, 57:17 physician ^[2] - 11:18, 11:23 pick ^[9] - 7:22, 8:1, 8:6, 15:6, 15:7, 71:6, 71:16, 147:9 pick-up ^[5] - 7:22, 8:1, 8:6, 15:6, 15:7 pints ^[1] - 33:7 place ^[10] - 21:7, 32:21, 50:2, 61:11, 64:21, 81:18, 91:4, 98:5, 106:3, 151:10 placed ^[3] - 96:11, 98:8 PLAINTIFF ^[1] - 2:2 plaintiff ^[1] - 5:22 Plaintiffs ^[1] - 1:5 plan ^[4] - 33:22, 33:23, 35:2, 52:9 Plan ^[3] - 3:12, 34:1, 113:12 plant ^[6] - 85:15, 86:1, 142:10, 142:14, 142:17, 142:18
O				
oath ^[2] - 4:22, 94:21 object ^[23] - 59:3, 59:17, 60:1, 62:13, 83:23, 86:3, 89:18, 111:2, 139:6, 139:16, 139:22, 140:2, 140:7, 140:9, 140:13, 140:19, 142:20, 144:5, 144:12, 146:3, 146:13, 149:14, 149:21 objection ^[3] - 89:15, 139:6, 139:16 observing ^[1] - 136:18 obtain ^[3] - 54:7, 67:21, 89:16 obtained ^[4] - 60:11, 60:14, 77:17, 89:22 Occ ^[2] - 3:6, 26:19 occasions ^[1] - 14:3 occur ^[3] - 29:4, 89:5, 115:2 occurred ^[3] - 29:6, 33:16, 55:20 occurrence ^[1] - 94:7 occurring ^[1] - 95:4 October ^[3] - 93:5, 101:17, 131:7 OF ^[3] - 1:2, 151:1, 151:3 offer ^[3] - 103:3, 106:8, 107:8 offered ^[2] - 110:19, 112:21 offhand ^[1] - 142:23 office ^[4] - 31:18, 38:9, 39:3, 52:23 OFFICES ^[1] - 2:3 often ^[1] - 68:1 oil ^[13] - 103:17, 103:18, 103:23, 104:13, 104:15, 108:4, 108:5, 108:7, 108:16, 110:18, 110:19, 112:6, 112:9 old ^[2] - 38:17, 87:15	P			
P-O-N-D-E-R ^[1] - 105:3 p.m ^[4] - 65:11, 65:17, 65:20, 150:5 packing ^[2] - 37:17, 81:7 page ^[25] - 33:21, 43:8, 44:23, 46:22, 73:14, 73:15, 74:2, 74:3, 74:4, 81:5, 81:6, 83:15, 86:11, 87:18, 92:17, 100:16, 110:1, 114:1, 114:7, 116:2, 116:9, 116:10, 120:5, 129:1, 149:6 PAGE ^[2] - 3:1, 3:5 pages ^[5] - 26:19, 27:1, 81:5, 88:13, 120:10 paid ^[22] - 16:15, 16:21, 17:10, 17:12, 18:1, 18:13, 18:16, 19:12, 20:1, 20:6, 20:7, 20:10, 22:2, 22:16, 22:17, 23:6, 25:13, 96:9, 105:18, 105:20, 117:13, 135:14 pain ^[11] - 29:15, 53:2, 53:21, 54:2, 57:23, 58:16, 83:9, 83:18, 83:22, 84:4, 84:6 paper ^[2] - 37:18, 125:18 paperless ^[3] - 26:12, 39:12, 43:17 paperwork ^[3] - 23:13, 23:15, 71:16 paragraph ^[2] - 35:2, 126:22 pardon ^[1] - 142:21 park ^[1] - 16:12 Parker ^[1] - 4:2				

DERALIO CROSBY REPORTING SERVICES, INC.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>plants [3] - 86:5, 86:6, 142:16</p> <p>PLLC [3] - 1:13, 2:3, 2:7</p> <p>plus [3] - 22:16, 63:15, 96:9</p> <p>pocket [1] - 69:17</p> <p>point [16] - 9:15, 13:13, 17:20, 28:18, 34:22, 44:7, 62:15, 65:7, 73:7, 83:11, 88:1, 89:9, 107:18, 114:14, 135:16, 138:4</p> <p>poisoning [1] - 34:13</p> <p>Ponder [2] - 105:1, 106:15</p> <p>Ponder's [1] - 110:14</p> <p>Pope [2] - 110:6, 110:9</p> <p>Pope's [1] - 110:10</p> <p>pork [1] - 30:8</p> <p>position [7] - 101:9, 103:3, 103:12, 110:10, 110:20, 126:1, 126:7</p> <p>positions [6] - 106:16, 127:1, 127:5, 127:10, 127:12, 127:15</p> <p>positive [6] - 54:22, 65:5, 74:16, 88:16, 95:3, 99:11</p> <p>possibility [4] - 105:8, 112:8, 112:12, 112:17</p> <p>possible [2] - 65:11, 98:7</p> <p>posted [5] - 46:19, 46:21, 47:2, 47:4, 47:8</p> <p>postings [1] - 45:4</p> <p>potential [1] - 25:2</p> <p>powder [5] - 50:21, 50:23, 51:2, 51:5, 51:11</p> <p>Power [3] - 3:8, 44:18, 45:9</p> <p>power [1] - 47:12</p> <p>practice [2] - 12:12, 32:21</p> <p>precisely [3] - 132:22, 133:2, 135:17</p> <p>prepare [1] - 75:14</p> <p>prescribe [3] - 34:16, 53:2, 53:5</p> <p>prescribed [3] - 53:10, 53:18, 53:23</p> <p>presence [3] - 145:1, 145:4, 145:7</p>	<p>present [2] - 88:2, 133:17</p> <p>PRESENT [1] - 2:17</p> <p>presume [1] - 136:10</p> <p>pretax [1] - 117:7</p> <p>pretty [5] - 16:17, 49:22, 65:21, 128:21, 128:22</p> <p>primary [2] - 11:17, 11:23</p> <p>print [2] - 59:4, 88:13</p> <p>printed [1] - 59:10</p> <p>printing [1] - 59:22</p> <p>prints [4] - 59:7, 59:11, 59:19, 59:22</p> <p>privy [2] - 96:21, 97:1</p> <p>problem [1] - 97:22</p> <p>problems [1] - 30:12</p> <p>procedure [1] - 15:10</p> <p>process [4] - 43:22, 44:1, 91:12, 114:13</p> <p>produce [2] - 83:18, 85:6</p> <p>produced [3] - 51:6, 113:4, 113:19</p> <p>producing [1] - 76:11</p> <p>product [86] - 47:5, 54:17, 55:1, 55:5, 55:12, 55:16, 56:5, 56:19, 56:22, 57:18, 57:20, 57:22, 58:8, 58:9, 58:15, 60:9, 76:5, 76:9, 76:11, 78:19, 79:22, 80:3, 80:5, 80:8, 80:19, 80:21, 81:14, 82:2, 82:5, 82:7, 82:8, 82:21, 83:2, 83:8, 83:17, 84:8, 84:13, 84:15, 84:16, 85:23, 87:22, 88:1, 88:21, 89:4, 92:10, 92:15, 92:16, 95:4, 95:11, 95:15, 95:17, 95:22, 96:4, 97:3, 97:13, 97:14, 97:19, 97:20, 97:23, 98:19, 99:10, 132:14, 133:22, 137:22, 139:2, 139:11, 139:21, 140:17, 141:4, 141:8, 144:9, 145:12, 147:5, 147:9, 147:15, 148:2, 148:9, 149:2, 149:6, 149:8, 149:12, 149:13, 149:17, 149:20</p> <p>products [15] - 40:16, 47:16, 48:19, 62:8,</p>	<p>62:11, 77:1, 86:5, 86:22, 87:2, 87:6, 87:14, 92:6, 92:7, 137:17, 143:12</p> <p>profit [8] - 24:20, 24:22, 25:3, 25:5, 25:9, 25:12, 26:8, 129:14</p> <p>program [1] - 117:5</p> <p>programs [1] - 52:5</p> <p>prompted [1] - 32:15</p> <p>prompts [1] - 147:13</p> <p>proof [1] - 69:15</p> <p>properties [1] - 98:21</p> <p>provide [1] - 83:22</p> <p>provided [7] - 7:17, 13:3, 21:19, 21:21, 22:23, 23:5, 33:14</p> <p>provider [1] - 89:12</p> <p>providing [3] - 26:10, 84:8, 125:16</p> <p>psychologically [1] - 57:17</p> <p>Public [3] - 1:12, 151:5, 151:22</p> <p>public [1] - 95:14</p> <p>publicly [1] - 46:20</p> <p>pull [2] - 71:8, 103:20</p> <p>pulled [4] - 109:10, 109:12, 118:20, 119:1</p> <p>pump [1] - 103:22</p> <p>purchase [19] - 40:15, 42:15, 44:13, 50:7, 63:11, 63:13, 63:21, 64:3, 65:22, 67:17, 80:10, 80:14, 80:18, 80:21, 95:22, 96:3, 132:19, 133:3, 134:19</p> <p>purchased [19] - 47:5, 50:2, 60:9, 63:15, 63:16, 65:8, 65:11, 65:16, 65:19, 66:13, 78:19, 79:5, 79:8, 79:10, 80:5, 80:7, 88:21, 124:6, 143:16</p> <p>purchases [2] - 44:3, 44:5</p> <p>purchasing [4] - 49:23, 51:11, 51:14, 64:6</p> <p>purpose [1] - 125:15</p> <p>pursuant [2] - 1:15, 151:10</p> <p>put [24] - 40:5, 43:2, 56:6, 57:4, 57:10, 70:21, 80:16, 81:21, 82:1, 91:12, 104:6, 104:21, 108:6,</p>	<p>114:22, 115:3, 115:6, 115:12, 115:15, 115:22, 116:16, 117:7, 118:7, 124:5, 125:18</p> <p>Putting [1] - 74:12</p> <p>putting [4] - 51:5, 57:12, 74:14, 128:20</p>	<p>Q</p> <p>quarter [3] - 19:16, 19:18, 19:21</p> <p>questions [9] - 5:14, 5:18, 5:20, 6:1, 76:15, 76:17, 113:7, 132:4, 148:15</p> <p>quick [1] - 147:3</p> <p>quite [1] - 20:22</p>	<p>R</p> <p>rack [1] - 62:15</p> <p>racks [1] - 62:17</p> <p>radiation [1] - 87:17</p> <p>radio [5] - 133:19, 134:5, 134:6, 134:10, 134:11</p> <p>rage [1] - 49:19</p> <p>Ram [2] - 8:1, 8:6</p> <p>Rand [2] - 1:13, 2:8</p> <p>random [1] - 143:14</p> <p>rate [5] - 19:14, 20:9, 20:15, 116:3, 120:4</p> <p>rather [1] - 64:19</p> <p>raw [6] - 47:12, 47:19, 47:21, 48:2, 48:3</p> <p>RAW [3] - 3:8, 44:18, 45:9</p> <p>ray [2] - 110:6, 110:9</p> <p>Ray [1] - 110:10</p> <p>reached [1] - 52:1</p> <p>reaction [2] - 29:20, 34:23</p> <p>reactions [1] - 53:17</p> <p>read [25] - 24:2, 73:15, 74:3, 74:5, 74:6, 74:8, 74:14, 74:17, 75:6, 75:11, 79:16, 84:21, 85:13, 86:2, 88:7, 94:17, 112:14, 122:1, 139:4, 139:5, 140:11, 146:21, 149:9, 149:16, 149:19</p> <p>reading [8] - 74:22, 84:12, 86:11, 88:4, 88:5, 146:16, 147:11, 149:12</p> <p>ready [1] - 104:6</p>	<p>really [4] - 8:23, 20:16, 49:20, 128:19</p> <p>reason [5] - 15:12, 59:21, 98:2, 116:6, 120:7</p> <p>receipt [1] - 44:14</p> <p>receipts [2] - 44:3, 44:8</p> <p>receive [3] - 24:20, 25:3, 25:5</p> <p>received [4] - 18:19, 21:4, 35:11, 73:11</p> <p>receiving [1] - 24:22</p> <p>recently [2] - 23:18, 34:8</p> <p>Recess [2] - 94:15, 132:7</p> <p>recipes [4] - 75:11, 75:12, 75:15</p> <p>recognize [3] - 99:21, 110:5, 125:11</p> <p>recollection [6] - 70:4, 132:21, 133:1, 137:18, 140:10, 140:11</p> <p>recommend [3] - 52:11, 87:1, 87:5</p> <p>Record [5] - 3:11, 79:16, 94:17, 98:15, 122:1</p> <p>record [18] - 4:18, 12:23, 27:1, 37:4, 37:13, 44:23, 58:18, 58:19, 74:10, 77:6, 79:14, 81:5, 93:2, 94:20, 100:16, 110:1, 114:14, 114:16</p> <p>recordings [1] - 61:14</p> <p>records [6] - 5:14, 26:7, 27:20, 71:22, 89:17, 89:23</p> <p>Red [6] - 96:2, 137:15, 140:15, 140:16, 145:16, 146:17</p> <p>RED [2] - 1:7, 2:6</p> <p>REEVES [1] - 2:12</p> <p>refamiliar [1] - 146:20</p> <p>refer [3] - 21:2, 130:5, 130:12</p> <p>reference [5] - 31:22, 84:7, 102:3, 126:21, 135:16</p> <p>referring [2] - 74:11, 130:17</p> <p>refers [1] - 130:9</p> <p>refinery [1] - 103:17</p> <p>reflect [4] - 26:14, 36:2, 101:8, 128:3</p> <p>reflection [1] - 129:9</p>
--	---	---	---	---	--	--

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

refresh [2] - 80:23, 81:13 refrigerator [1] - 37:8 regarding [1] - 102:4 regimen [1] - 87:11 regular [1] - 52:19 relate [1] - 16:6 related [5] - 5:17, 8:20, 26:8, 27:20, 151:15 relationship [1] - 145:14 relief [2] - 83:18, 83:22 remainder [1] - 97:13 remaining [3] - 18:20, 18:21, 97:3 remarried [1] - 6:22 remember [48] - 19:1, 21:12, 28:21, 30:3, 31:6, 33:2, 35:20, 35:21, 45:11, 45:12, 45:15, 49:10, 55:14, 57:8, 57:11, 57:15, 60:23, 61:7, 71:2, 71:21, 72:5, 72:6, 74:6, 74:7, 74:8, 74:12, 78:21, 78:23, 83:3, 90:5, 90:10, 91:22, 93:4, 93:7, 109:16, 109:18, 115:14, 115:16, 116:1, 126:6, 128:19, 138:20, 146:16, 146:19, 147:3, 148:21, 149:15, 149:22 removed [1] - 86:16 rent [1] - 15:11 rental [1] - 131:23 rented [1] - 15:6 rep [2] - 94:11, 147:20 repaired [1] - 124:3 repeat [2] - 5:20, 121:21 rephrase [1] - 129:3 report [3] - 27:2, 27:4, 27:8 Report [2] - 3:6, 26:19 reported [1] - 117:12 reporter [3] - 79:16, 94:17, 122:1 represent [1] - 121:2 representative [4] - 76:19, 89:3, 90:23, 91:2 request [2] - 40:5, 40:11 Request [3] - 3:9, 98:14, 100:17	requested [2] - 41:9, 43:16 requests [1] - 43:2 requirement [1] - 15:20 research [18] - 48:12, 78:3, 78:7, 78:10, 79:21, 80:4, 88:11, 93:3, 95:10, 96:22, 132:18, 132:22, 137:23, 138:1, 145:23, 146:1, 148:23, 149:1 researched [1] - 88:14 researching [3] - 49:16, 81:14, 85:20 reserve [1] - 132:4 reset [1] - 93:14 reside [1] - 86:14 resident [1] - 7:9 resign [3] - 101:11, 107:20, 111:19 resigned [6] - 101:5, 101:6, 101:9, 118:10, 118:15, 118:23 resolved [2] - 11:1, 28:18 respect [6] - 5:17, 31:22, 61:18, 79:20, 80:2, 118:14 response [1] - 113:19 rest [1] - 35:15 result [1] - 108:2 results [1] - 25:14 retain [1] - 44:3 retained [2] - 26:7, 36:5 retaining [1] - 44:8 retirement [27] - 23:17, 113:5, 113:18, 113:22, 114:2, 114:17, 114:23, 115:7, 115:12, 115:22, 115:23, 116:15, 116:21, 117:5, 117:21, 118:2, 118:3, 118:12, 118:15, 120:14, 120:15, 121:5, 121:9, 121:10, 121:17, 123:3, 128:16 Retirement [2] - 3:13, 113:12 return [2] - 116:3, 120:4 returning [1] - 35:3 returns [1] - 44:10	ride [1] - 108:20 right-hand [7] - 59:11, 59:20, 59:23, 100:18, 101:1, 119:18, 119:23 risk [1] - 95:3 road [15] - 29:9, 34:10, 35:4, 35:16, 35:19, 37:5, 37:14, 42:9, 49:7, 54:5, 55:13, 67:10, 82:4, 83:10, 136:4 Road [1] - 4:2 rolled [2] - 118:4, 122:10 room [2] - 4:10, 14:9 rooms [1] - 70:2 Roshtell[sic] [1] - 111:6 Roth [1] - 117:4 Route [1] - 38:17 routes [3] - 108:8, 108:14, 108:16 Rudy [2] - 6:12, 6:13 run [3] - 29:13, 96:19, 96:23 running [6] - 19:19, 20:3, 93:13, 94:3, 103:14, 103:15 rust [1] - 15:18 RVs [2] - 7:22, 109:7	84:16, 138:10 Sayre [1] - 39:8 scanned [3] - 36:17, 36:19, 37:1 scanning [1] - 36:20 Schedule [1] - 141:15 Scranton [3] - 82:22, 82:23, 83:4 screen [5] - 59:4, 59:7, 59:11, 59:19, 59:22 Screenshot [2] - 3:10, 98:15 seal [1] - 151:18 search [1] - 77:23 searches [1] - 137:1 seat [1] - 136:16 seats [1] - 56:2 second [5] - 5:9, 33:21, 79:12, 81:6, 116:9 section [10] - 33:9, 33:15, 35:3, 62:19, 62:21, 102:16, 102:19, 110:2, 120:4, 120:22 sections [1] - 81:9 see [29] - 12:5, 23:12, 27:8, 33:3, 33:22, 36:20, 37:9, 45:23, 60:6, 61:21, 81:9, 81:16, 95:11, 100:19, 102:3, 104:13, 110:2, 110:16, 114:4, 116:2, 120:3, 120:23, 127:18, 128:7, 128:14, 130:14, 137:6, 147:7, 148:7 semi [2] - 16:11, 16:13 semi-truck [2] - 16:11, 16:13 semis [1] - 7:23 send [10] - 13:6, 24:4, 40:2, 71:11, 71:12, 71:17, 87:18, 97:7, 97:9, 105:17 sending [3] - 97:2, 125:7, 126:3 sense [1] - 17:16 sent [5] - 23:18, 29:18, 36:17, 71:4, 71:5 sentence [1] - 125:23 separate [4] - 22:22, 25:10, 63:21, 142:16 September [6] - 35:5, 45:9, 68:1, 81:15, 81:16, 135:14 served [1] - 113:20	service [5] - 89:12, 90:23, 91:1, 94:10, 147:20 served [1] - 124:3 set [4] - 62:6, 70:3, 95:14, 151:10 seven [2] - 17:8, 26:6 several [2] - 22:12, 115:4 shake [1] - 51:1 shakes [10] - 48:17, 49:21, 50:15, 50:19, 51:6, 51:11, 51:16, 51:23, 52:14, 52:16 sharing [8] - 24:20, 24:22, 25:3, 25:5, 25:9, 25:12, 26:8, 129:14 sharp [1] - 29:15 sheet [1] - 106:8 sheets [4] - 35:22, 36:2, 36:15, 37:1 Sheri's [1] - 68:19 ship [1] - 81:9 shipment [1] - 81:12 shipped [1] - 106:3 shipping [1] - 82:7 shop [3] - 61:1, 61:6, 61:9 shore [1] - 61:5 short [4] - 23:5, 23:8, 90:15, 105:23 short-term [2] - 23:5, 23:8 shorter [2] - 55:10, 68:10 shorthand [1] - 151:13 shoulder [3] - 10:21, 12:3 shoulders [1] - 10:23 show [4] - 59:19, 69:15, 71:22, 81:3 showed [1] - 81:1 showing [4] - 26:22, 44:21, 100:13, 109:23 shows [3] - 58:20, 81:12, 129:1 Sick [2] - 48:5, 48:14 side [3] - 10:13, 10:15, 101:5 signed [1] - 23:13 signing [3] - 21:7, 21:10, 89:15 similar [1] - 30:12 simply [1] - 52:21 single [1] - 110:1 single-page [1] - 110:1
--	--	--	--	---

S

S-H-E-R-I-S [1] - 68:22

safe [2] - 102:23, 138:17
sample [1] - 98:20
sat [5] - 62:22, 63:1, 64:16, 64:17, 133:23
saving [1] - 123:3
Savings [2] - 3:13, 113:12
savings [32] - 23:17, 40:19, 41:17, 41:22, 42:11, 109:11, 113:5, 113:18, 113:22, 114:2, 114:23, 115:7, 115:12, 115:22, 115:23, 116:16, 117:5, 117:21, 118:2, 118:3, 118:12, 118:15, 120:14, 120:15, 121:5, 121:9, 121:10, 121:17, 123:3, 128:16
Retirement [2] - 3:13, 113:12
return [2] - 116:3, 120:4
returning [1] - 35:3
returns [1] - 44:10

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

<p>sister [1] - 142:17</p> <p>sit [5] - 37:23, 64:18, 64:21, 99:9, 136:13</p> <p>sitting [6] - 14:8, 15:17, 56:2, 66:16, 134:12, 136:15</p> <p>situation [2] - 16:7, 111:1</p> <p>six [1] - 66:23</p> <p>skimmed [2] - 74:6, 86:7</p> <p>skimming [1] - 74:21</p> <p>sleeper [3] - 55:20, 55:21, 55:22</p> <p>slip [1] - 81:8</p> <p>small [1] - 39:9</p> <p>smartphone [1] - 75:2</p> <p>smoked [2] - 144:15, 144:18</p> <p>smoking [1] - 145:2</p> <p>social [5] - 45:3, 46:11, 46:14, 46:22, 47:4</p> <p>sold [9] - 61:11, 61:16, 61:22, 62:4, 62:8, 62:11, 79:1, 124:9, 131:6</p> <p>solo [4] - 101:22, 102:23, 107:5, 107:6</p> <p>someone [4] - 36:20, 134:10, 145:1, 145:4</p> <p>sometime [2] - 17:22, 103:10</p> <p>sometimes [4] - 70:1, 71:8, 108:12, 108:13</p> <p>somewhere [1] - 13:6</p> <p>soon [1] - 57:9</p> <p>sorry [5] - 5:19, 8:19, 22:8, 118:22, 130:20</p> <p>sorts [1] - 145:9</p> <p>sounds [1] - 22:19</p> <p>sources [1] - 85:15</p> <p>south [2] - 72:9, 72:13</p> <p>southern [1] - 72:10</p> <p>span [1] - 137:21</p> <p>speaker [1] - 133:18</p> <p>speaking [2] - 91:14, 92:22</p> <p>special [2] - 126:1, 126:7</p> <p>specific [2] - 93:9, 132:21</p> <p>specifically [5] - 52:15, 84:6, 92:5, 92:21, 95:2</p> <p>specified [1] - 92:9</p> <p>spell [3] - 68:20, 76:13, 105:2</p> <p>Spencer [1] - 39:9</p> <p>spent [5] - 122:19,</p>	<p>123:1, 123:3, 123:8, 148:23</p> <p>spinning [1] - 34:11</p> <p>spoken [1] - 104:11</p> <p>spot [2] - 55:18, 64:2</p> <p>spouse's [1] - 7:1</p> <p>Square [2] - 1:13, 2:9</p> <p>ss [1] - 151:2</p> <p>standard [6] - 14:20, 15:9, 23:14, 24:6, 24:10, 44:11</p> <p>stapled [1] - 113:15</p> <p>Star [3] - 50:5, 50:8, 51:12</p> <p>Starbucks [4] - 60:21, 62:7, 63:22</p> <p>Stark [3] - 110:6, 110:9, 110:22</p> <p>start [11] - 5:23, 7:13, 23:17, 48:19, 49:1, 83:7, 111:15, 111:19, 120:11, 130:17, 149:11</p> <p>start-up [1] - 130:17</p> <p>started [11] - 9:16, 34:10, 34:11, 44:1, 49:18, 85:20, 105:20, 109:5, 109:7, 137:5, 148:4</p> <p>starting [2] - 48:15, 108:3</p> <p>starts [2] - 30:3, 33:23</p> <p>State [2] - 38:9, 151:6</p> <p>state [1] - 55:14</p> <p>STATE [1] - 151:1</p> <p>Statement [2] - 3:13, 113:12</p> <p>statement [3] - 37:23, 114:2, 120:15</p> <p>statements [12] - 26:13, 37:18, 39:11, 39:22, 40:3, 40:8, 41:9, 42:18, 42:21, 113:16, 113:18, 113:22</p> <p>states [2] - 35:3, 143:9</p> <p>STATES [1] - 1:1</p> <p>stating [1] - 84:17</p> <p>station [1] - 133:19</p> <p>status [1] - 30:21</p> <p>stay [13] - 15:13, 15:16, 16:4, 35:6, 52:7, 68:13, 68:17, 69:17, 69:21, 73:1, 73:5, 108:8, 136:13</p> <p>stayed [2] - 16:18, 68:15</p> <p>stepdaughters [1] - 9:7</p> <p>still [22] - 6:9, 8:21,</p>	<p>12:15, 18:1, 30:10, 39:20, 49:4, 53:9, 54:2, 67:11, 78:22, 79:1, 86:17, 93:2, 93:15, 93:22, 107:8, 111:21, 115:21, 119:1, 135:4</p> <p>stop [5] - 12:17, 49:6, 73:7, 82:10, 83:6</p> <p>stopped [3] - 49:10, 51:22, 71:2</p> <p>store [20] - 50:6, 61:22, 62:4, 62:9, 62:12, 62:16, 62:20, 63:7, 63:13, 64:8, 66:17, 78:4, 78:5, 78:12, 78:15, 78:17, 93:12, 103:18, 147:7, 149:7</p> <p>stores [1] - 91:13</p> <p>storing [1] - 73:7</p> <p>Storm [1] - 4:9</p> <p>STORM [2] - 1:12, 2:7</p> <p>straight [2] - 29:10, 148:19</p> <p>stream [1] - 107:17</p> <p>street [1] - 6:18</p> <p>Street [2] - 2:4, 38:16</p> <p>streets [1] - 54:14</p> <p>strength [1] - 108:11</p> <p>stressful [1] - 128:22</p> <p>structure [1] - 119:15</p> <p>stub [1] - 20:13</p> <p>stubs [1] - 20:21</p> <p>stuff [1] - 137:6</p> <p>Style [1] - 74:17</p> <p>subject [3] - 66:14, 141:11, 141:14</p> <p>submitted [1] - 36:11</p> <p>subpoena [1] - 113:20</p> <p>subscribe [1] - 76:2</p> <p>subscribed [1] - 151:18</p> <p>substance [1] - 133:14</p> <p>substances [1] - 141:15</p> <p>substitute [1] - 53:19</p> <p>succeed [1] - 100:7</p> <p>Sue [1] - 3:2</p> <p>SUE [1] - 1:11</p> <p>sued [1] - 95:13</p> <p>suffer [1] - 10:9</p> <p>sufficient [1] - 148:14</p> <p>suing [2] - 47:2, 145:15</p> <p>suite [1] - 137:12</p> <p>sum [1] - 133:14</p> <p>summary [2] - 37:20, 120:22</p>	<p>SUNY [1] - 50:11</p> <p>supermarket [8] - 44:4, 50:10, 51:3, 54:8, 78:8, 78:11, 78:22, 79:23</p> <p>supplement [1] - 144:1</p> <p>supposed [2] - 93:20, 103:1</p> <p>sworn [2] - 4:3, 151:9</p> <p>symptoms [1] - 29:16</p> <p>system [2] - 20:23, 85:6</p>	<p>138:17, 138:19, 138:22, 139:3, 139:14, 139:21, 140:18, 140:20, 141:4, 143:9, 143:13, 143:14</p> <p>tested [11] - 32:11, 32:12, 32:16, 32:17, 54:22, 55:4, 59:8, 74:15, 88:16, 98:19, 99:13</p> <p>testified [6] - 4:4, 4:13, 5:3, 54:16, 80:3, 114:21</p> <p>testify [2] - 8:3, 151:9</p> <p>testifying [3] - 8:6, 19:4, 112:7</p> <p>testimony [12] - 4:11, 4:22, 32:14, 97:5, 97:12, 112:5, 132:17, 151:8, 151:9, 151:10, 151:11, 151:12</p> <p>testing [5] - 95:7, 97:4, 97:8, 97:9, 141:12</p> <p>tests [3] - 30:20, 95:3, 143:3</p> <p>Texas [19] - 34:11, 60:8, 60:10, 60:14, 67:14, 68:2, 68:7, 68:14, 70:6, 70:9, 70:12, 72:8, 72:10, 101:20, 103:10, 105:11, 106:22, 110:12, 126:13</p> <p>THC [29] - 74:16, 76:18, 76:23, 77:2, 84:17, 91:10, 95:5, 95:16, 95:17, 99:7, 99:10, 138:8, 138:10, 138:12, 138:15, 138:19, 138:22, 139:2, 139:12, 139:13, 141:18, 141:21, 141:22, 142:13, 143:8, 143:18, 144:1, 148:8</p> <p>THE [4] - 2:2, 2:6, 2:11, 79:18</p> <p>therapy [10] - 13:5, 13:7, 13:8, 13:9, 13:13, 13:17, 13:23, 14:3, 14:6, 17:14</p> <p>thereafter [1] - 151:11</p> <p>thereof [1] - 151:16</p> <p>thick [1] - 10:17</p> <p>thinking [2] - 61:19, 121:19</p>
--	---	---	---	--

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544

DEPAOLO-CROSBY REPORTING SERVICES, INC.
170 Franklin Street, Suite 601, Buffalo, New York 14202
716-853-5544

<p>91:10, 92:14, 92:15, 92:16, 92:20, 95:23, 96:5, 96:7, 96:10, 136:21, 136:23, 137:2, 137:7, 137:9, 137:14, 137:19</p> <p>websites [2] - 133:2, 133:8</p> <p>week [17] - 13:11, 13:22, 16:10, 17:3, 17:9, 18:6, 20:1, 20:4, 20:8, 20:10, 20:14, 72:6, 83:13, 107:5, 107:6, 129:18</p> <p>weeks [30] - 15:14, 15:15, 15:23, 16:4, 16:15, 16:19, 16:23, 17:5, 17:7, 18:1, 18:4, 18:23, 19:1, 19:2, 19:6, 19:8, 19:9, 19:20, 20:5, 29:3, 34:13, 55:4, 55:8, 55:10, 85:14, 85:18, 86:4, 129:16, 129:20</p> <p>Wegmans [10] - 50:1, 50:8, 50:9, 50:10, 51:3, 51:15, 54:10, 78:17, 78:20, 143:13</p> <p>weight [4] - 51:17, 51:20, 52:1, 52:2</p> <p>Weil [1] - 74:17</p> <p>wellness [4] - 91:13, 94:12, 137:16, 141:8</p> <p>WENDY [1] - 2:13</p> <p>WESTERN [1] - 1:2</p> <p>WHEREOF [1] - 151:18</p> <p>white [17] - 12:9, 12:10, 12:12, 12:15, 12:17, 13:3, 13:6, 13:7, 27:2, 27:17, 27:19, 31:19, 34:6, 34:16, 34:18, 53:2, 53:9</p> <p>white's [1] - 27:6</p> <p>whole [8] - 18:8, 35:19, 40:12, 50:5, 73:2, 73:10, 136:14, 151:9</p> <p>wiped [2] - 94:4, 94:6</p> <p>Wise [1] - 99:20</p> <p>withdrawal [2] - 121:16, 121:18</p> <p>withdrawn [1] - 118:3</p> <p>withdraws [1] - 37:21</p> <p>witness [3] - 5:3, 42:7, 151:8</p> <p>WITNESS [3] - 3:1, 79:18, 151:18</p>	<p>woke [1] - 10:8</p> <p>woman [1] - 99:20</p> <p>women [1] - 107:14</p> <p>word [1] - 45:3</p> <p>words [10] - 9:17, 19:5, 42:15, 84:11, 95:15, 139:13, 139:15, 139:18, 141:5, 141:6</p> <p>Workers' [3] - 12:10, 17:16, 35:13</p> <p>works [2] - 20:23, 112:3</p> <p>wreck [10] - 10:1, 10:7, 10:9, 12:6, 13:4, 18:5, 27:3, 31:20, 53:3, 53:22</p> <p>write [1] - 141:3</p> <p>written [3] - 104:10, 104:11, 139:18</p>	<p>younger [1] - 91:18</p> <p>yourself [4] - 5:19, 39:13, 89:22, 107:2</p> <p>yourselves [1] - 131:1</p> <p>YouTube [10] - 3:8, 44:18, 45:8, 45:23, 46:19, 47:22, 133:9, 133:10, 134:5, 134:18</p>
Z		
<p>zero [14] - 77:2, 84:17, 91:9, 95:5, 138:11, 138:15, 139:12, 139:13, 141:17, 141:21, 141:22, 143:18, 144:1, 148:8</p> <p>zip [1] - 6:15</p>		
X		
X's [2] - 95:23, 96:5		
Y		
<p>yard [1] - 71:15</p> <p>year [31] - 8:16, 17:1, 17:3, 17:4, 22:4, 24:11, 25:14, 28:7, 28:14, 28:21, 29:4, 29:7, 31:9, 31:11, 34:8, 34:9, 41:12, 42:19, 43:8, 43:15, 49:2, 52:17, 94:3, 115:11, 115:17, 115:21, 126:15, 126:19, 129:2, 131:9, 131:10</p> <p>years [28] - 7:4, 12:1, 17:9, 25:6, 25:18, 28:16, 31:7, 31:10, 32:2, 40:11, 40:12, 40:13, 40:14, 42:20, 43:12, 43:16, 86:16, 87:15, 97:15, 106:6, 114:22, 115:2, 115:5, 115:6, 116:18, 131:15, 148:7</p> <p>yesterday [9] - 8:5, 32:14, 58:19, 58:23, 73:16, 80:3, 112:6, 112:11, 143:1</p> <p>yesterday's [1] - 73:23</p> <p>YORK [2] - 1:2, 151:1</p> <p>York [10] - 1:14, 2:4, 2:9, 2:15, 4:2, 32:5, 38:9, 75:8, 151:6</p>		

DEPAOLO-CROSBY REPORTING SERVICES, INC.

170 Franklin Street, Suite 601, Buffalo, New York 14202

716-853-5544